

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5927 of 2021

Arising Out of PS. Case No.-543 Year-2020 Thana- SASARAM NAGAR District- Rohtas

JANU PANDEY Son of Shri Chandrika Pandey @ Chandrika Pande Resident
of Village - Girdhariya, P.S.- Shivsagar, District - Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Udbhav, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-06-2021

In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sasaram Nagar PS Case No. 543 of 2020 registered under Sections 420, 379, 511 and 34 of the IPC.

The police have been intimated by the Bank officials on alarm being raised by the informant that some person has tried to dupe him. The modus operandi is peculiar. It is alleged that an unknown person requested the informant to exchange a value of currency with smaller currency notes. On that pretext notes were handed to the informant which the accused took back.

Submission of the learned Counsel for the petitioner



is that even as per allegations, the informant has not stated that the alleged amount of Rs. 59100/- withdrawn by him was taken by the petitioner. The informant has not even placed on record details of the alleged cheque which he had encashed for the amount of Rs. 59100/-. It is further submitted that the petitioner is a cloth retailer merchant, proprietor of a shop namely Tirupati Bala Jee and had gone to the bank with cash in routine course of business for having a demand draft prepared. It is under these circumstances that he has been implicated only on suspicion. Petitioner has no criminal antecedent and has been now in custody since 28.8.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Rohtas at Sasaram in Sasaram Nagar PS Case No. 543 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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