

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59778 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- PATLIPUTRA District- Patna

Akhil Kumar Mehariwal Son Of Krishna Kumar Mehariwal @ Krishan Kumar Resident Of Dablu No. 42, P.S. Churu Kotwali, District - Churu (Rajasthan), At Present Near Shivpuri Road No. 0 Khatal, In The Rented House Of One Dharmendra Kumar P.S. Shastrinagar, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Patliputra P. S. Case No.69 of 2021, instituted for the offences under Sections 461, 379, 511 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 22.07.2021, charge-sheet has been submitted in the case and has antecedent of two cases.

The learned counsel for the petitioner submits that the informant alleges that he received information that one accused has been caught while cutting ATM of Bank of India and a gas cutter has also been seized from the place of occurrence. The apprehended accused Vivek Kumar disclosed the name of three accused persons including the petitioner, who fled away.

The learned counsel for the petitioner submits that there is no allegation of withdrawal of any money from the chamber of the



ATM. The learned counsel further submits that the petitioner was not apprehended at the place of occurrence, no money was withdrawn from the chamber of the ATM and the name of this petitioner transpired in the confessional statement of co-accused Vivek Kumar @ Vipin, who has been granted bail by order dated 16.12.2021 in Cr. Misc. No.42949 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and co-accused has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Patna in connection with Patliputra P. S. Case No.69 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Krishna Kumar Mehariwal @ Krishan Kumar.

The application stands allowed.

(Satyavrat Verma, J)

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