

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68269 of 2021**

Arising Out of PS. Case No.-703 Year-2021 Thana- LAKHISARAI District- Lakhisarai

MD. AFROZ S/o Wali Alam R/o village- Tarapur, P.S.- Tarapur, District-
Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 17-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Lakhisarai (Kabaiya) P.S. Case No. 703 of 2021, for the offence
punishable under Section 379 and 461 of the Indian Penal Code.

The allegation is of theft of Rs. 16 Lacs from the
locker of Instakart Service Pvt. Ltd.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. Nothing has
been recovered from his conscious possession. The total amount
has been recovered from co-accused Sujit Kumar in this regard
he has made specific statement in paragraph Nos. 8,9 and 10. He
further submits that other co-accused Mihir Kumar @ Mihir



Kumar Mishra has already been enlarged on bail by this Court vide order dated 13.05.2022 passed in Criminal Miscellaneous No. 68736 of 2021. The petitioner has clean antecedent and he is in custody since 17.10.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, petitioner has made specific statement that one co-accused Sujit Kumar was apprehended and on search the entire amount of money has been recovered, nothing has been recovered from the possession of the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 703 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

