

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12739 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

Birendra Mukhiya, Son of Sri Kishori Mukhiya, resident of Village- Jay Nagar, P.S.- Jay Nagar, District- Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party : Mr. Umesh Lal Verma (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-05-2015 Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner is in custody since 20.12.2014 in connection with Jay Nagar P.S. Case No.208 of 2014, registered for the offences under Sections 420 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant has filed the present case stating that she had been cheated when she had gone to withdraw the money from ATM. Subsequently, she learnt that one Vikas Kumar Mishra had exchanged his ATM with that of hers and after some time she learnt that huge amount has been withdrawn from the same. Learned counsel for the petitioner submits that in the present

case, the petitioner is not named in the F.I.R. but merely on suspicion by the police, the petitioner has been arrested. There is no cogent evidence that the petitioner was present at the time of the alleged occurrence. Learned counsel for the petitioner further submits that the petitioner has no criminal antecedents, but still he has been languishing in jail since long.

Considering the aforementioned submissions, let the above named petitioner be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in connection with Jay Nagar P.S. Case No.208 of 2014.

(Anjana Mishra, J)

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