

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34956 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -HISUA District- NAWADA

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1. Manish Kumar Son of Sri Charitra Singh @ Chalitar Singh, Resident of
Village - Eknar, P.S. - Hisua, District - Nawada.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. M.Dayal,(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-08-2015

Heard both sides.

The petitioner seeks bail in connection with Hisua
P.S. case no. 91 of 2015, registered for the offences punishable
under Sections 420, 467 and 468 of the Indian Penal Code.

Earlier to this the petitioner had filed an application
seeking provisional bail which was allowed. It is stated that on
expiry of the period of provisional bail, the petitioner has
surrendered in the Court below.

Allegation against the petitioner is that he was found
in possession of ATM card which belonged to some other
customer. Further allegation is that a sum of Rs. 25,000/- was
withdrawn from using the said ATM card.

Contention of the petitioner is that the allegation of
withdrawal of the amount by using the ATM card is yet to be
ascertained. He is in custody for more than two months.

Learned APP for the State, on the other hand, points out that there is confessional statement of the petitioner regarding withdrawal of the amount using the said ATM card.

Considering the facts and circumstances of the case, this Court is inclined to extend the privilege of bail to the petitioner. Let the petitioner, named above, 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 the learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. case no. 91 of 2015, with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

Shyam/-

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(Kishore Kumar Mandal, J)