

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.40812 of 2015

Arising Out of PS.Case No. -237 Year- 2015 Thana -CIVIL LINE District- GAYA

1. Niwas Kumar son of Deonandan Singh resident of At + P.O. + P.S. - Fatehpur, District - Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

with

Criminal Miscellaneous No.46177 of 2015

Arising Out of PS.Case No. -237 Year- 2015 Thana -CIVIL LINE District- GAYA

1. Randhir Kumar Son of Laljeet Kumar Singh R/o village - Halimchak, P.S. Fatehpur, Distt. Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

with

Criminal Miscellaneous No.40823 of 2015

Arising Out of PS.Case No. -237 Year- 2015 Thana -CIVIL LINE District- GAYA

1. Chandan Kumar son of Ramji Singh resident of At + P.O. + P.S. - Fatehpur, District - Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

Appearance :

(In Cr.Misc. No.40812 of 2015)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

(In Cr.Misc. No.46177 of 2015)

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Murlidhar(App)

(In Cr.Misc. No.40823 of 2015)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Dr .Ajeet Kumar (App)

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

3 15-10-2015

As these cases arise out of Gaya Civil Lines P.S.Case No. 237 of 2015, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are in custody in a case registered under Sections 419, 420, 467, 468, 471,411/34 of the Indian Penal Code.

The allegation against the petitioners is that from their possession ATM cards of different banks and mobile sets were recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 08.07.2015. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioners. As per prosecution, ATM cards are said to have been recovered from the possession of these petitioners. From perusal of the case diary it appears that who are the genuine holders of the said ATM cards has not been mentioned nor there is any material in the case diary to show that recovered ATM cards have ever been used for making any fraudulent

withdrawal. There is nothing in the case diary to show that whether any one has been put to wrongful loss. Only on the basis of recovery of different ATM cards of different banks, the petitioners have been made accused in this case.

On behalf of the State, it has been submitted that the petitioners are named in the FIR and different ATM cards are said to have been recovered from the possession of the petitioners.

Considering the facts aforesaid, let above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M.,Gaya in Gaya Civil Lines P.S.Case No. 237 of 2015.

**(Sudhir Singh, J)**

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