

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40621 of 2015

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

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Rupesh Kumar @ Rupesh Kumar Singh son of Paras Singh resident of
Village - Roshna, P.S. - Fatehpur, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lakshmi Kant Sharma

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 08.07.2015 in
a case instituted under Sections 419, 420, 467, 468, 471 and
411/34 of the Indian Penal Code.

As per allegation, it is a case of misappropriation of
money from the ATM Cards of different banks.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.07.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. As per prosecution case, 43 ATM
cards are said to have been recovered from the possession of the
petitioner. From perusal of the case diary, it appears that it has no

where been mentioned that who are the genuine holders of the recovered ATM cards nor it is evident that whether the said cards have been used for fraudulent withdrawal by the petitioner nor the case diary indicates that whether any person has been put to wrongful loss due to fraudulent withdrawal made by the petitioner. Petitioner has been made accused only for the reason that some ATM cards is said to have been recovered from his possession. It is further submitted that the petitioner may be released after completion of six months in custody from 08.07.2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and ATM cares of different banks are said to have been recovered from his possession. Petitioner has got two criminal cases against him.

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of six months in custody from 08.07.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned CJM, Gaya in connection with Civil Lines P.S.Case No.237 of 2015.

(Sudhir Singh, J)

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