

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28206 of 2015

Arising out of PS.Case No. -230 Year- 2014 Thana -ARARIA District- ARRARIA

Sepoy Sanjay Kumar, son of the Sri Barhan Yadav, resident of Village
Pranpur, Police Station- Paraiya, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Tej Narayan Singh, Advocate.

For the Opposite Party : Mr. A. L. Pandit(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection
with Araria P.S. Case No. 230 of 2014 for the offences instituted
under Section 420 of the IPC.

The accusation is of exchanging the A.T.M. Card of the
informant and withdrawal of Rs. 81,500 of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. It is further submitted
that the petitioner is a Constable in Arm Forces and posted at
Ranchi. It is submitted that the petitioner has been made accused
in the present case due to mistake of fact. The petitioner has
himself is victim of fraud as his ATM Card was also exchanged by

an unknown stranger for which he has instituted F.I.R. vide Annexur-3 to the present application. It is further submitted that the petitioner is ready to deposit an amount of Rs. 10,000/- in court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Araria P.S. Case No. 230/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)