

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33744 of 2015

Arising Out of PS.Case No. -375 Year- 2010 Thana -NTPC District- BHAGALPUR

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Vinod Kumar Das @ Vinod Kumar Ravidas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 420, 406 read with 34 of the Indian Penal Code.

The prosecution case is that the informant went to withdraw money through ATM but he could not withdraw the same when one boy took the ATM card of the informant for assisting in withdrawing the money, but he exchange the ATM card of the informant. Subsequently, the informant came to know that Rs.66,000/- was withdrawn from her account when it was found that the exchanged ATM card given to the informant was in the name of this petitioner.

It is submitted by learned counsel for the petitioner

that the petitioner's ATM card lost in 2008 and subsequently, the authorities of the bank was informed and, thereafter, another ATM card was issued and the petitioner was using the same card. Moreover, even if exchanged ATM card was found with the informant even then it does not suggest that the petitioner withdrew the amount from the account of the informant. It is further submitted that the maximum limit of withdrawal of money through the ATM is Rs.45,000/- when the petitioner alleged for Rs.66,000/-.

Considering the substantial nature of accusation, let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Kahalgaon NTPC P.S. Case No.375 of 2010, pending before the learned Judicial Magistrate, 1st Class, Bhagalpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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