

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53332 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -ARWAL District- JEHANABAD

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Suraj Kumar son of Rambali Paswan Village Gajadharpur Tola Bagha
Bigha, P.S. - Tankuppa, Dist -Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar, Advocate

For the Opposite Party/s : Mr. B.M.P. Sinha, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
02.09.2016 in connection with Arwal P.S. Case No. 114 of
2016 registered for the offence punishable under Sections 420
and 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that he operated ATM machine, but rupees did not come out
and thereafter he went away. After some time, he came to know
that Rs. 40,000/- has been withdrawn from his account.
Thereafter, on the next day he met with the Branch Manager,
State Bank of India, who advised him to inform the customer
care and lodge First Information Report.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He is a student of B.A. Part-II and just because he has been implicated in another case, bearing Arwal P.S. Case No. 141 of 2016, he has been remanded to judicial custody in the present case. He submits that confessional statement of the petitioner before the police has no evidentiary value in the eye of law and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is involved in another case of similar nature and has criminal antecedent, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of the parties and that charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 114 of 2016, subject to the condition that one of the bailors must be a close relative and other bailor must have sufficient immovable



properties within the territorial jurisdiction of the concerned Court and will appear before the learned Court below as and when required.

(Nilu Agrawal, J.)

Arjun/-

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