

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11585 of 2016

Arising Out of PS.Case No. -144 Year- 2015 Thana -CHAKAI District- JAMUI

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1. Raj Kumar son of Dinesh Mandal, resident of Village- Gari Bishanpur,
P.S.- Piribazar, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Chakai
P.S. Case No. 144 of 2015 registered for the offences punishable
under Sections 419, 420, 406, 467, 468, 471 of the Indian Penal
Code and Section 66(A), 66(C) and 66(D) of Information
Technology Act.

Allegedly, three unknown miscreants exchanged the
ATM card of the informant and when the informant got the
knowledge, he went to the bank to close the ATM but in the
meantime, amount of Rs. 58,000/- has already been withdrawn
form his account. During investigation, the name of the petitioner
transpired that he withdrew the amount of Rs. 10,000/- and again

in his account an amount of Rs. 28,000/- was deposited through transfer and then he withdrew the said amount and further from possession of the petitioner four ATM cards were recovered.

Submission is of false implication and that there is no legal and tangible material against the petitioner, petitioner has helped the informant, the ATM card of the informant has not been recovered from possession of the petitioner and further the petitioner has not been identified by the informant vide para 45 of the case diary.

The learned APP opposes the prayer of bail by submitting that four ATM cards were recovered from possession of the petitioner out of which one was in the name of Nilesh Kumar.

In the facts and circumstances stated above, considering that the petitioner has not been identified by the informant vide para 45 of the case diary and also considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri. Lalan Kumar, learned J.M. 1st Class, Jamui in connection with Chakai P.S. Case No. 144 of 2015 subject to the conditions that one of the bailors must be near relative and another having

sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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