

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7965 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

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Dhiraj Kumar @ Dhiraj Kumar Yadav Son of Parshuram Prasad Yadav
Resident of Village- Dahiyawa tola P.s Chapra, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh

For the Opposite Party/s : Mr. Umanath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 19-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

In this case the petitioner is seeking bail in
connection with Desari P.S.Case No.84/15 for the offences under
Sections 420, 467 and 468 of the I.P.C.

As per the prosecution case when on 10.04.2015 the
informant had gone to ATM of Bank of India, Desari to withdraw
the amount, a person who was present in the ATM from before
dropped his ATM Card and asked the informant to pick up the
same. At his request the informant picked the ATM Card up and
handed over but in course of which the said person changed his
ATM Card which the informant could not understand. On that
very day the said person withdrew Rs.4,00,500/- from the Account



of the informant from different ATM of Hajipur and subsequently transferred the aforesaid amount from the account of the informant to the Account No.32475625334. On verification the informant came to know the changed ATM Card bearing No.6220180012700250421 and A/c No.32475625334 were of one Manju Sinha.

The counsel for the petitioner submits that the petitioner was remanded in this case from Kudra P.S.Case No.185/15.

In course of investigation it was found that the petitioner was caught on the spot when he was changing ATM Cards in that very fashion and he accepted his involvement in the case. After arrest the police had compared the photograph of the petitioner with V.D.O. footage and found the both are the same person.

Looking to the facts and circumstances of the case and also that the petitioner is in custody since 22.6.2015, let the petitioner, above named, be released on bail on 9th of May, 2016, on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Vaishali at Hajipur, in Desari P.S. Case No.84/15 subject to the conditions that (i) if the petitioner is found involved in future in similar type

of case, the prosecution will be at liberty to make prayer for cancellation of his bail bond and the court below will pass necessary order, including cancellation of bail and (ii) the petitioner would cooperate the proceeding of the court below. (iii) In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass order including cancellation of bail bonds.

(Shivaji Pandey, J)

AnilKrSinha/-

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