

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12589 of 2016

Arising Out of PS.Case No. -143 Year- 2015 Thana -SHASTRINAGAR District- PATNA

1. Ritesh @ Ramit @ Amit @ Vikash Chaturvedi, aged about 32 years, Son of Sri Anil Kumar Chaturvedi, Resident of 203/B, Millennium Building, Shastri Park, Goregaon, (West), Mumbai, A/P 117/115, L Block, Navi Nagar, Kakadeo Kanpur, P.S. Kanpur City, Dist- Kanpur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.13417 of 2016

Arising Out of PS.Case No. -143 Year- 2015 Thana -SHASTRINAGAR District- PATNA

1. Ratan @ Ratan Vijay Gupta son of Vijay Kumar Gupta resident of K-406, Srinand City, Part - 5, New Maninagar, C.T.M. Rom Mall, P.S. - Ahmedabad, District - Ahmedabad (Gujrat).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.13162 of 2016

Arising Out of PS.Case No. -143 Year- 2015 Thana -SHASTRINAGAR District- PATNA

1. Shambhu @ Karan Singh S/o Ramadhar Satdev Jha, R/o Halakhpura, P.S.- Gadhpura, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12589 of 2016)

For the Petitioner/s : Mr. Manoranjan Kumar

For the Opposite Party/s : Mr. Atul Chandra(App)

(In Cr.Misc. No.13417 of 2016)

For the Petitioner/s : Mr. Sourendra Pandey

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

(In Cr.Misc. No.13162 of 2016)

For the Petitioner/s : Mr. Rina Sinha
For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-05-2016

All the three criminal miscellaneous applications are of the same occurrence and as such, have been heard together and are being disposed of by passing this common order.

Heard the learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Shastri Nagar P.S. Case No. 143 of 2015 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Allegedly, after using some technique, amount of Rs. 46,96,000/- was taken away from three ATMs and it is suspected that ATM engineers might have committed the offence. The petitioners are not named in the First Information Report and during investigation, the names of the petitioners transpired in the confessional statement of co-accused Satyam Kumar Singh.

Submission is of false implication and that the petitioners have got no connection whatsoever with SIS



Company which is responsible for loading the money in different ATMs across the town of Patna, the petitioners have been made victim of the circumstances, nothing has been recovered from their conscious possession, in CCTV Footage also, they have not been identified, only on the basis of alleged confessional statement of co-accused made before the police, the petitioners have been remanded in this case, co-accused Sunil Singh @ Semi @ Sem has already been allowed bail vide Criminal Miscellaneous No. 3857 of 2016 passed by another co-ordinate Bench of this Court and the petitioners are suffering in custody since 23.08.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner, Ritesh @ Ramit @ Amit @ Vikash Chaturvedi is involved in seventeen more cases, petitioner, Ratan @ Ratan Vijay Gupta is also involved in eleven more cases whereas Shambhu @ Karan Singh is involved in fifteen cases. On behalf of the petitioners, it is further submitted that in all the cases at Surat, the petitioners have been allowed bail.

In the facts and circumstances stated above, considering that co-accused Sunil Singh @ Semi @ Sem has already been allowed bail, charge-sheet has already been

submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioners, above named, are also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Shastri Nagar P.S. Case No. 143 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

ajaypd./-

(Jitendra Mohan Sharma, J)

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