IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24789 of 2016

Arising Out of PS.Case No. -207 Year- 2015 Thana -MUZAFFARPUR TOWN District-MUZAFFARPUR

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Jigyashu Kumar, S/o- Sri Jitendra Prasad Singh, R/o- Mohalla- Umesh Nagar, Sherpur, Zero Mile Baba Hoziyari Gali, P.S.- Ahiyarpur, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Sinha, w/o Krishna Singh, R/o Mohalla Gaidpur, Lodipur, P.S. Pipra, District Patna, at present Paswan Tola, Sheikhpur, P.S. Ahiyapur, District Muzaffarpur
3. The Branch Manager, State Bank of Bikaner and Jaipur, Akharaghat Road Branch, P.S. Town, District Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Suresh Pd. Singh, APP
For the Informant : Mr. Sanjay Kumar @ S.K., Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-10-2016 Heard learned counsel for the petitioner, the State and the informant.

The petitioner seeks bail in a case instituted for the offences under Sections 406 and 420/34 of the I.P.C.

By the earlier order dated 08.08.2016, the informant and the Branch Manager of the Bank were added as Opposite Party Nos.2 and 3 to the present application and the notices were issued. Service report indicates valid service of notice upon the opposite parties. Counsel for the informant is present. No one appears on behalf of the Bank.

The allegation is that the petitioner in collusion with other accused made withdrawal of Rs.5 lacs from the account of the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.4.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Except for the allegations made by the informant regarding the fake withdrawal to be made by the petitioner, there is no documentary evidence to suggest that the petitioner had made any such withdrawal from the account of the informant. He was only the introducer to the informant and his son while the accounts were being opened in their favour in the Bank. Hence, he is being suspected to have made a fake withdrawal from the said accounts.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and he was the introducer at the time of opening of the account in the Bank.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Town Muzaffarpur P.S. case No.207 of 2015.

(Sudhir Singh, J)

Narendra/-

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