

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20606 of 2016

Arising out of PS.Case No. -827 Year- 2015 Thana -BETTIAH TOWN District- WEST
CHAMPARAN(BETTIAH)

Md. Rafee Moazzam @ Rafee Muazzam, S/o Shekh Jafir@Jafir Ahmad
Resident of village- Jhumka, PS Sikta, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party : Mr. Jagdhar Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bettiah Town P.S. Case No. 827 of 2015 for the offences
instituted under Sections 420 and 379 of the IPC.

The prosecution story, in brief, is that the informant got a
joint account alongwith his father in the Bank of India. A Debit
Card has also been issued in connection with the same. On
28.12.2015, some persons with the detail of the Debit Card of the
informant purchased articles worth Rs. 24,880/- in four
transactions. The informant suspects that on 28.12.2015 at 12.38
P.M. while he used his Card in the ATM of Bank of India, some

persons standing in his queue saw the details of his ATM Card and some one has committed the theft.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He is not named in the F.I.R. In course of investigation, his name has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bettiah Town P.S. Case No. 827/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)