

Arising Out of PS.Case No. -250 Year- 2016 Thana -MAJHAULIA District-  
WESTCHAMPARAN(BETTIAH)

.... Petitioner/s

## The State of Bihar

.... .... Opposite Party/s

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate  
For the Opposite Party/s : Sri Tarun Prasad Mandal, APP

2 28-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since 06.09.2016 in connection with Majhauliya P.S. Case No. 250/16 for offences punishable under Sections 420, 406, 411, 414, 379 of the Indian Penal Code and under Section 66(C) of the I.T. Act.

The prosecution case, as lodged by the informant, is that he went to S.B.I. ATM to withdraw money and withdrew Rs. 10,000/-. He again put his ATM card in the machine, just then the petitioner came and said that he is putting it in a wrong direction and took his ATM card and gave him another one. It is alleged that there were three persons and the petitioner was apprehended with the informant's ATM card.

It has been submitted by the learned counsel for

the petitioner that he is innocent and no offence has been committed by him as no money has been withdrawn of the informant. He submits that the petitioner has no criminal history and has been implicated only on the basis of suspicion.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and since there is general and omnibus allegation and it is based only on suspicion, let the petitioner, above named, be enlarged 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, West Champaran, Bettiah, in connection with Majhauriya P.S. Case No. 250/16.

**(Nilu Agrawal, J.)**

Rajesh/-

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