

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45495 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Imran Khan son of Habibulah Khan resident of Village - Malhari, P.S. -
ImamGanj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Amitesh Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 02-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 420, 467, 468 and 471 of the I.P.C and
sections 65 and 66 of the I.T. Act.

Allegedly, one unknown person exchanged the ATM
card of the informant and further has seen the code number and
thereafter withdrew Rs. 20,000/- in two transactions from his
ATM card from Dalmiyanagar and again withdrew Rs. 18,000/-
from the SBI Dehari ATM. During course of investigation
C.C.T.V. Footages were obtained and thereafter the petitioner was
arrested and then he confessed his guilt stating as to how he and
others are involved in such things. The informant identified the
petitioner by the photograph on a mobile application of whatsapp.

Submission is of false implication and that only on suspicion the petitioner is suffering in custody since 11.05.2015, no test identification parade has been conducted, nothing has been recovered from possession of the petitioner and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the three A.T.M cards which were stolen by the petitioner were recovered from possession of the petitioner and he has confessed his guilt also.

In the facts and circumstances as stated above, considering custody of the petitioner, now he is directed to 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 S.D.J.M. Dehari, Rohtas in Dehari (Dalmiyanagar) P.S. Case No. 72 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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