

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33788 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana –GANDHI MAIDAN District- PATNA

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Pankaj Kumar S/o Late Ajay Kumar Resident of Saristabad, P.S.
Saristabad Distt. Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.33924 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana –GANDHI MAIDAN District- PATNA

- =====
1. Nidhi Kumari Daughter of Sunil Kumar Singh.
 2. Ginni @ Ginni Devi Wife of Sunil Kumar Singh, Both Resident of Mohalla- Makhania Kuan, P.S. Pirbahore , Distt Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.33788 of 2016)

For the Petitioner : Mr. Hira Prasad Pandey

For the Opposite Party : Mr. Arun Kumar

(In Cr.Misc. No.33924 of 2016)

For the Petitioners : Mr. Hira Prasad Pandey

For the Opposite Party : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 17-10-2016 Both the above stated petitions have arisen out of Gandhi Maidan P.S. Case No. 77 of 2016 registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

It would appear from perusal of the first information report that Rs. 6,42,400/- was credited in the account of petitioner no. 1 of Cr. Misc. No. 33924 of 2016, namely, Nidhi Kumari through NEFT from the account of District Welfare Officer, Patna. Subsequently, the aforesaid amount was withdrawn and the aforesaid Nidhi Kumari and petitioner in Cr. Misc. No. 33788 of 2016, namely, Pankaj Kumar went to the concerned Bank for encashment of cheque of Rs. 8000/- and then the aforesaid fact was detected and thereafter, petitioner in Cr. Misc. No. 33788 of 2016, namely, Pankaj Kumar and petitioner, Nidhi Kumari were detained in the Bank. However, in the meantime, petitioner no. 2 of Cr. Misc. No. 33924 of 2016, namely, Ginni @ Ginni Devi and co-accused, Avinash Kumar immediately came to their rescue and deposited the above stated amount of Rs. 6,42,400/- with the concerned Bank. The informant being District Welfare Officer, Patna claims that in the account of petitioner in Cr. Misc. No. 33788 of 2016, Rs. 4,35,000/- and Rs. 4,92,600/- had been credited through NEFT but from perusal of the entire case diary, I find that the aforesaid fact has not been verified by the investigating officer. However, the officials of Corporation Bank

gave information to District Welfare Officer, Patna about deposit of amount of Rs. 4,35,000/- and Rs. 4,92,600/- in the account of petitioner in Cr. Misc. No. 33788 of 2016, namely, Pankaj Kumar through NEFT.

Submission on behalf of the petitioners is that one co-accused, Avinash Kumar has already been granted bail and so far as credit of some amount in the account of petitioners is concerned, petitioners do not have any concern with the aforesaid credited amount. Moreover, investigation against the petitioners has already been completed and their further detention in jail custody does not appear to be desirable.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Supriya Goswami, learned Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 77 of 2016.

(Hemant Kumar Srivastava, J)

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