

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45031 of 2015

Arising Out of PS.Case No. -7 Year- 2013 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Chandra Prakash Singh son of Shiv Kumar Singh, resident of village- and
P.O.- Jalalpur, P.S.- Daraunda and District- Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mohammed Abu Haidar
For the Opposite Party : Mr. M.K. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 01-02-2016 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Hajipur Town P.S. Case No. 07 of 2013 for the offences
instituted under Section 420 of the Indian Penal Code.

As per the prosecution case that on 09.12.2012 the
informant withdraw Rs.40,000/- from his SBI at Mahua from
ATM counter of UBI, Bank of India and when he was counting
the money his ATM card was changed and he put the changed
ATM card in his pocket and he received message on his mobile
that Rs.40,000/- has been withdrawn from his account and on
search the informant came to know that the said ATM card
belongs to Dilip Sah and he transferred the money on the same
day in the account of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has falsely been implicated in the present case due to mistake of fact. There is a delay in lodging the FIR but no explanation has been given. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioners 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 Hajipur Town P.S. Case No. 07 of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Brajesh Kr./-

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