

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18377 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. Pankaj Kumar Singh @ Tinku Singh Son of Umesh Prasad Resident of
Village: Akabarpur Police Station -Kalyanpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Indu Bala Panday (App)

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

4 30-06-2016 Supplementary affidavit has been filed on behalf of the

petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Tajpur,
Baini P.S. Case No. 343 of 2015 registered for the offences
punishable under Sections 420, 406 and 379 of the Indian Penal
Code.

Allegedly, one un-known person saw code number of
the ATM of the informant when she was trying to withdraw
money and further changed her ATM card to the ATM card of one
Raghubir Paswan and thereafter, message came regarding
withdrawal of amount from her account. In that way amount of Rs.

43,000/- was withdrawn. The informant claimed to identify the culprit after seeing video clip and accordingly, she identified the accused petitioner after seeing the video footage and further before the police officer, she also identified the petitioner.

Submission is of false implication and that the petitioner is in custody since 08.03.2016 but he has not been put on TIP, the alleged identification have got no evidentiary value in the eye of law, the petitioner without any fault, has been made accused in this case only on the basis of his criminal antecedent and, as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. C.J.M., Samastipur in connection with Tajpur (Baini) P.S. Case No. 343 of 2015 subject to the conditions that one of the bailors must be 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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