

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25305 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -GOPALPUR District- PATNA

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Anil Chauhan, Son of Bishwanath Chauhan, Resident of village- Ketka,
Police Station- Bara Hat, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Adv.
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 13-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

By deceitful means, the pin number of the ATM belonging to the informant got obtained over mobile call on 13.07.2015, on which date, the deposits of the account belonging to the informant lying at State Bank of India got siphoned. From para-14 of the case diary, it is evident that statement of account has been obtained by the I.O. wherefrom, it is evident that on 13.07.2015 transaction was made by which, the amount has been transferred. From para-27 of the case diary, it is evident that IO had succeeded in tracing out the mobile number being as 9507493957 and further as per para-29, petitioner has been properly identified to be the owner of the aforesaid Sim number. Learned counsel for the petitioner has submitted that petitioner is

ready to deposit the amount.

The learned lower court will ascertain the amount as per para-14 of the case diary and will provide an opportunity to the petitioner to deposit the amount. In case whole amount is deposited at the end of the petitioner, then in that event, petitioner Anil Chauhan will be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of Ragini Kumari, Judicial Magistrate, 1st Class, Patna in connection with Gopalpur P.S. Case No.91/2015. However, it is made clear that the deposit of aforesaid amount will be treated as an admission at the end of the petitioner during course of trial.

(Aditya Kumar Trivedi, J)

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