

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37028 of 2016

Arising Out of PS.Case No. -319 Year- 2016 Thana -NAWADA District- NAWADA

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1. Raushan Kumar, aged about 23 years, Son of Vijay Singh, Resident of
Village- Handiya, P.S.- Nardiganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 379 and 420 of the Indian Penal Code.

The prosecution story, in brief, is that on 02.06.2016 at
12.05 P.M., the informant went to PNB ATM near Collectorate,
Nawada to withdraw the money from the account of her husband
where an unknown person changed her ATM card and withdrew
Rs. 2,68,000/- from the account.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 09.06.2016. Charge sheet has been
submitted in this case. The petitioner has got no criminal
antecedent. There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has been made
accused due to mistake of fact. There is no substantive material to

suggest the implication of the petitioner in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs. 75,000/- in the court below within a period of one month, which may be released in favour of the informant.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is not named in the FIR but the amount, in question, has been transacted in his personal account that shows the involvement of the petitioner in the present case.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawadah in connection with Nawada Town P.S. Case No. 319 of 2016. It is further directed that the petitioner shall deposit an amount of Rs. 75,000/- in the court below within a period of one month from the date of his release. Once the entire amount has been deposited, the provisional bail granted to the petitioner shall be confirmed by the court below itself.

(Sudhir Singh, J)

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