

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 30799 of 2016

Arising Out of PS.Case No. -72 Year- 2012 Thana -BHANGWANPUR HAT District- SIWAN

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Arvind Kumar Singh son of Sri Krishna Prasad resident of village - Juffar,
P.S. - Bhagwanpur, P.O. - Chakiya, Dist. - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ashish Giri, Advocate

For the Opposite Party/s : Mr Jagdhar Prasad, APP

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

3 04-10-2016

Heard learned counsel for the petitioner.

The petitioner apprehends arrest in Bhagwanpur Police Station (PS) Case No 72 of 2012 dated 16.05.2012 instituted under Sections 420, 419, 467, 468 of Indian Penal Code (IPC).

In the first information report, it is alleged that while the informant's son had gone to withdraw money at PNB ATM, a person was interrupting the transaction and after withdrawal of money, the ATM card was dropped and exchanged. Thereafter, from the account, substantial amount was regularly withdrawn.

Petitioner is not named in the FIR but from the CCTV footage, at the time when the initial withdrawal was made, he is seen next to the informant's son and, hence, he is a suspected

accomplice.

Learned counsel submits that there is no further CCTV coverage showing petitioner or using the ATM card of the informant. In fact, petitioner, on that day itself, withdrew only Rs 1,000/- using his own ATM card.

Be that as it may, in the event of his arrest or surrender within five weeks from today, the petitioner abovenamed shall be released on bail, subject to his cooperating with the police, on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in Bhagwanpur PS Case No 72 of 2012 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

However, if the petitioner is chargesheeted, he would have to surrender before the Court below and pray for bail which would be decided by the trial Court on its own merit.

(Navaniti Prasad Singh, J)

M.E.H./-

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