

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51778 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -DURAULI District- SIWAN

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1. Vijay Kumar Yadav S/o Sri Sradhanand Yadav R/o-Bishwania P.S.-
Darauli Dist.-Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
29.09.2016 in connection with Darauli P.S. Case No. 34 of 2015
for offences punishable under Sections 406/420 of the Indian
Penal Code.

The informant had relied on this petitioner and
handed over her ATM card for withdrawal of money. The
petitioner as per instruction withdrew Rs.25,000/- through ATM
card on 18.12.2014 and handed over the money and ATM card as
usual to the complainant. Subsequently, the complainant came to
know that some outdated ATM card was handed over to her and
real ATM card was retained by the petitioner and subsequently

petitioner withdrew different amounts from her account.

Submission of the petitioner is that the number and identity of the ATM card, which was handed over to the complainant, is not mentioned. Moreover, the alleged withdrawal is yet to be established during trial.

Considering the facts and circumstances, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Mr. A. Pandey, learned Judicial Magistrate, 1st Class, Siwan, in connection with Darauli P.S. Case No.34 of 2015 arising out of Complaint Case No.256 of 2015.

(Birendra Kumar, J)

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