

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51419 of 2016

Arising Out of PS.Case No. -412 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

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Prem Kumar @ Prem Chand Singh, son of Sunil Kumar Singh, Resident of
Village- Narbirpur, P.S.- Chandi, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
05.08.2016 in connection with Ara Town P.S. Case No. 412/16 for
offences punishable under Section 420 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that while he went to the ATM to withdraw money, the guard of
the said ATM exchanged his ATM card and thereafter he found
his money withdrawn from his PNB and SBI account and also
purchased jewellery from his ATM card. He enquired from the
guard, who disclosed his name as Dinesh Kumar and during
course of investigation, the name of this petitioner surfaced.

It has been submitted by the learned counsel for
the petitioner that he is not named in the First Information Report



and during course of investigation his name surfaced only on the basis of extra judicial disclosure made in Ara Town P.S. Case No. 73/16. He submits that the F.I.R. named accused has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 46856 of 2016 on 26.10.2016 and that no Test Identification Parade has been done so far. He further submits that the petitioner is a student, has passed his Intermediate Examination and is preparing for the competitive examination.

However, learned APP for the State submits that although the petitioner is not named in the First Information Report, but during investigation his name surfaced, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and the fact that another co-accused has since been granted the privilege of bail, 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No.412/16.

(Nilu Agrawal, J.)

Rajesh/-

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