



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13381 of 2016

Arising Out of PS.Case No. -223 Year- 2015 Thana -ATRI District- GAYA

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Chhote Manjhi Son of Rajendra Manjhi Resident of Village- Kharauna,
Police Station Atri, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. P.K.Choursiya(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 18-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with Atri
P.S. Case No. 223 of 2015 registered for the offences punishable
under Sections 379 and 420 of the Indian Penal Code.

Allegedly, the informant called the petitioner to help
him in withdrawing the money from ATM of Punjab National
Bank, Tetua Bazar and the informant withdrew the amount of Rs.
5,000/- with the help of the petitioner but the petitioner has seen
the balance amount and further changed the ATM card of the
informant by giving him another ATM card of the same colour

and thereafter from 24.11.2015 to 28.11.2015, amount of Rs. 72,737/- was got withdrawn.

Submission is of false implication only on suspicion, the petitioner has helped the informant as per his request, he has not changed the ATM card, nothing has been recovered from the possession of the petitioner, ATM card which was produced by the informant was of one Afsana Begum and as such, the petitioner who is suffering in custody since 08.02.2016 deserves sympathetic consideration.

The learned A.P.P submits that the petitioner is named in the first information report and during investigation, the witnesses have also supported.

In the facts and circumstances stated above, considering the detention of the petitioner and further charge sheet has already been submitted and there is no chance of tampering with prosecution evidence, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 223 of

2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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