

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18884 of 2016

Arising Out of PS.Case No. -289 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Vishal Kumar, S/o Mithilesh Sah, resident of village-Jamin Mathia, P.S-Minapur, District- Muzaffarpur.
 2. Bablu Kumar Sah, S/o Binay Sah, resident of village-jamin Mathia, P.S. Minapur, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-05-2016

Heard learned counsel appearing on behalf of the petitioners and learned Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Saraiya P.S. Case No. 289 of 2015, disclosing offences under Sections 419, 420, 467, 468, 471, and 474/34 of the Indian Penal Code.

Allegation is that few miscreants involved in commission of tampering/fraud with ATM machine had gathered at the place and on seeing the police, they started fleeing away. On chase being made by the police one of them namely Sonelal Kumar was apprehended and from his possession, three ATM cards were recovered near the ATM machine. One Pulsar motorcycle belonging to Pankaj Kumar and one Apachi Motorcycle belonging to petitioner no.1 were recovered. The said

Sonelal Kumar is said to have disclosed the names of these petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that no material has been collected so far these petitioners are concerned showing any involvement in committing fraud in withdrawal of amount of ATM machine. The petitioners are said to have no criminal antecedents.

Considering the submissions as above, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., (West) Muzaffarpur, in Saraiya P.S. Case No. 289 of 2015, subject to the conditons as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutives occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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