

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55743 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Luxaman Kumar @ Luxaman Sharma S/o Ram Bachan Sharma, R/o
Village- Sikariya, P.S.- Sasaram (Darigaon), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kargahar P.S. Case No.145 of 2016 registered under Sections 406, 407, 408 and 420/34 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-II, Sasaram, Rohtas.

The accusation is that after lodging of Kargahar P.S. Case No.90 of 2016 regarding the shortage of currency in the A.T.M., Superintendent of Police, Rohtas, gave direction for inspection of 19 A.T.Ms. of different Banks in the District of Rohtas. Thereafter, on checking, Rs.34,76,400/- was found short in the



A.T.Ms. In that course, it was detected that Rs.8,00,000/-, which was to be loaded in the A.T.M. of the Bank of India, has been concealed in the A.T.M. of I.D.B.I. Bank. Two teams were engaged in loading the cash on A.T.Ms. One team was headed by this petitioner and Pawan Kumar whereas another team was headed by Nirbhay Kumar and Amrit Kumar.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner was the member of the team engaged in loading the cash in A.T.M. at Dehri Town but the petitioner has falsely been implicated in this case.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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