

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16471 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -RAMKRISHNANAGAR District- PATNA

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1. Mukesh Kumar Suman @ Chintu, Son of Mithilesh Singh, Resident of Village- Pura Police Station- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-04-2017 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Ram Krishna Nagar P.S. Case No. 187 of 2016 registered for the offence punishable under Section 420 of the Indian Penal Code and Section 66 (A) of the I.T. Act.

Allegedly, on 29.08.2016 Bibha Kumari went to the ATM of State Bank of India at Ram Krishna Nagar at about 9.00 P.M. but the amount was not withdrawn and when she returned, a message was received that Rs. 20,000/- has been withdrawn and accordingly, case was registered against un-known. During investigation, on the basis of C.C.T.V. footage, the petitioner was identified that he has entered into ATM with the informant vide



para 37 of the case diary and thereafter in para-48, the petitioner was identified and vide para 51 he confessed his guilt also. The petitioner was apprehended with four ATM cards.

Submission is of false implication and that the petitioner has not been put on TIP. Only on the basis of CCTV footage he has been implicated. Out of four ATM cards, one card is of petitioner and second is of Manish Kumar and remaining two cards are blocked and as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 23.01.2017.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Ram Krishna Nagar P.S. Case No. 187 of 2016 pending in the Court of learned CJM, Patna.

However, petitioner may renew his prayer of bail after completion of six months in custody.

(Jitendra Mohan Sharma, J)

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