

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30422 of 2017

Arising Out of PS.Case No. -404 Year- 2016 Thana -PATORI District- SAMASTIPUR

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Ratnesh Tiwary @ Ratnesh Kumar @ Ratnesh @ Juli Son f Bhavnath
Tiwari, Resident of Village-Kushi Harpur Horil Ramni P.s.-Kanti, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with
Patory P.S. Case No. 404 of 2016, registered for the offence
punishable under Sections 379 and 420 of the Indian Penal Code.

F.I.R. has been lodged against unknown person
wherein it has been alleged by the informant that he had
withdrawn a sum of Rs. 1,000/- from the A.T.M., whereafter he
received a telephonic call from his house to withdraw Rs. 1,500/-
more and during the course of withdrawal of the same, some
unknown person helped him for withdrawal of the money as well
as simultaneously he withdrew a sum of Rs. 1,04,700/-.

The learned counsel for the petitioner submits that
there is no CCTV footage to show implication of the petitioner,



the F.I.R. is against unknown person, one another accused person has been apprehended in the said case and allegation being only against one accused and since one accused has already been apprehended, the petitioner cannot be again implicated in the same case. So far as T.I.P. is concerned, it has been categorically stated in paragraph-17 of the bail petition that there is a mistake by the learned trial court inasmuch as the petitioner has not been identified by the informant but by one Ramesh Kumar Rai, who is said to be a jail staff and not a witness in TIP.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

According, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Samastipur in connection with Patory P.S. Case No. 404 of 2016.

(Mohit Kumar Shah, J)

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