

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23429 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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Dhananjay Verma Son of Brij Bhushan Verma, Resident of Village--Belpar
Pandit, P.S.-Bhatpar Rani, District-deoria(U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binay Kant Mani Tripathi, Advocate

For the Opposite Party : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 12.03.2017
in connection with Vijaipur P.S. Case No. 36 of 2017 for the
offences instituted under Sections 419, 420, 411 and 379/34 of the
IPC.

The prosecution story, in brief, is that the informant
alongwith others proceeded for day patrolling and reached at
S.B.I. of A.T.M at 3.40 P.M. near Vijaypur Market and saw that
many people were withdrawing the money from ATM. Seeing the
police, two persons started fleeing away and they were
apprehended by the police. They disclosed their names as
Dhananjay Verma and Mohit Yadav. On search, two mobile



phones, cash Rs. 3200/- and two ATM Cards of P.N.B. and S.B.I. were recovered and from possession of Mohit Yadav, one motorcycle, one mobile phone, cash Rs. 180/-, ATM Card and two Adhar Cards were recovered. This petitioner further disclosed that he used to pay Rs. 200/- to Mohit Yadav every day and used to travel the different part of Gopalganj Districts and they used to stand behind the person and anyhow used to see the last digits of ATM and password and by his idea money App Internet transfer the amount to Bank Account No. 64448000100079772 of PNB and by deceiving used to withdraw the money of Sim issued on wrong I.D. and further used to change the ATM from old persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.03.2017. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. There is no wrongful gain made on the part of the petitioner nor any wrongful loss has been caused to any person by the petitioner. The other co-accused has been granted bail by the court below vide B.P. No. 605/2017 dated 17.04.2017.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, 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 A.C.J.M.-IVth, Gopalganj, in connection with Vijaipur P.S. Case No. 36/2017.

(Sudhir Singh, J)

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