

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34758 of 2017**

Arising Out of PS.Case No. -301 Year- 2017 Thana -BIHARSHARIF District- NALANDA  
(BIHARSHARIFF)

=====

Santosh Kumar Yadav, S/o Late Hemraj Yadav, Resident of Village-Badhi  
Bigha, Police Station-Wazirganj, District-gaya.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      10-08-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody in  
connection with Bihar P.S. Case No. 301 of 2017 registered for  
the offence punishable under Sections 420 and 411 of the Indian  
Penal Code.

The prosecution case, as lodged by the informant, is  
that while she had gone to SBI ATM for withdrawing cash,  
petitioner tried to help her and changed her ATM card. On  
knowledge, informant chased the petitioner, who was apprehended  
and from his possession five ATM cards of different banks were  
recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, no overt act has been committed by him and he has been falsely implicated. He submits that petitioner himself is a student, who had gone to withdraw his money, but due to some technical problem neither the money of the petitioner nor of the informant could be withdrawn. It has further been submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 301 of 2017.

**(Nilu Agrawal, J.)**

Arjun/-

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