

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25324 of 2017

Arising Out of PS. Case No.-250 Year-2016 Thana- MAJHAULIA District- West Champaran

SURESH KUMAR @ SURESH SAHANI, Son of Jaganath Sahni, Resident
of Village- Chakia Tola, Police Station- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad

For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-10-2017 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420,406,411,414 and 379 of the IPC and Section 66 (c) of the I.T. Act.

The prosecution case is that on 5.9.2016 at 11 A.M. the informant Basudeo Kumar went to withdraw money through ATM when the informant withdrew Rs.10000/- and again tried to withdraw money, in the meantime, a boy suggested that he has inserted the ATM Card wrongly and he took the informant's ATM Card, thereafter he gave him another ATM Card. The informant demanded back his ATM Card and raised alarm, whereupon the police came and



caught hold of the said boy, who disclosed his name as Rakesh Kumar. Several ATM Cards were recovered from Rakesh Kumar. Rakesh disclosed the names of accused namely Suresh Sahni (petitioner) and Manoj Sahni.

It is submitted by learned counsel for the petitioner that specific case of the informant is that the boy who took the informant's ATM Card disclosed his name as Rakesh Kumar and except disclosure of the name of the petitioner by co-accused Rakesh Kumar, no other material has surfaced against him during investigation. Statement has been made in paragraph 3 of the petition that the petitioner is having no criminal antecedent.

It is submitted by learned APP that co accused Rakesh Kumar disclosed the name of the petitioner.

Considering the fact that the name of petitioner sprang up on confessional statement of co-accused Rakesh Kumar who is main accused and in view of the statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the petitioner above named be released on bail in the event of arrest or surrender within six weeks from today on furnishing bail bond of Rs.10000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran, Bettiah in connection with Majhauria P.S. Case No. 250 of 2016 subject to the conditions laid down in section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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