

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52250 of 2016

Arising Out of PS.Case No. -185 Year- 2016 Thana -HASPURA District- AURANGABAD

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Rajesh Chaudhary Son of Naresh Chaudhary R/o Mohalla- Purani Sahar,
Munshi, P.S.- Daudnagar, Distt- Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Haspura P.S. Case No. 185 of 2016 for the offences
instituted under Sections 420 and 379 of the Indian Penal Code.

The allegation against the petitioner is of committing
fraud by taking the ATM card and password from the informant
and subsequently withdrawn an amount of Rs. 40,000/- from the
account of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case merely
on suspicion. It is alleged that the petitioner had made a
fraudulent withdrawal of Rs. 40,000/- from the account of the



informant. There is no documentary evidence to suggest that any withdrawal of Rs. 40,000/- was made on 05.10.2016 from the account of the informant by the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- in the court below, which shall be subject to final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- in the court below, which shall be subject to final disposal of the case and on doing so, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Haspura P.S. Case No. 185 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned I/C.J.M., Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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