

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4124 of 2018

Arising Out of PS. Case No.-301 Year-2017 Thana- CHAKIA District- East Champaran

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Akhilesh Kumar S/o Late Nageshwar Sah, R/o Ward No. 03 Kanti, 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. Anirudh Kumar Sinha
For the Opposite Party/s : Smt. Renuka Ratnakar, APP

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

14-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Chakia P.S. Case No. 301 of 2017 registered under Sections
379, 420/34 of the Indian Penal Code.

Rs. 24000/- of the informant is said to have been
withdrawn by the petitioner and two other accused persons
namely, Vishal Kumar and Keshav Kumar from his account by
using his ATM card by cheating him, and later on, when the
informant again want to withdraw money four days later, he
found the said three persons standing there, who were
apprehended by the police, on making alarm, by the informant and
Rs. 98,000/- was recovered from the possession of Vishal Kumar
while three ATM cards from Keshav Kumar and one mobile from the



petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. No incriminating article has been recovered from his conscious physical possession. The offence is of 9.11.2017 and FIR was lodged after four days delay on 13.11.2017. The petitioner has been falsely implicated in this case by the informant. He has no criminal antecedent. He has been languishing in custody since 14.11.2017. The co-accused namely, Vishal Kumar and Keshav Kumar have been enlarged on bail vide order dated 5.02.2018 and 16.02.2018 passed in Cr. Misc. nos. 4065 of 2018 and 1866 of 2018 respectively, by a co-ordinate bench of this court.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, East Champaran, Motihari in connection with Chakia P.S. Case No. 301 of 2017.

(Prakash Chandra Jaiswal, J)

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