

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2439 of 2018

Arising Out of PS.Case No. -538 Year- 2017 Thana -SITAMARHI District- SITAMARHI

Shambhu Yadav, Son of Late Chandeshwar Yadav, @ Nirmal Kr. Singh
Resident of Pipra Parsain Tola, Hanuman Nagar, P.S.-Sonevarsa, District-
Sitamarhi. Petitioner

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Binod Kumar Sinha

For the Opposite Part : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

3 18-01-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Sitamarhi PS Case No. 538 of 2017 registered under Sections 379, 406, 420, 467, 468, 120B of the IPC and Section 66C of the Information Technology Act.

The allegation in brief is that a phone call was made to the informant from the mobile of the petitioner asking him to deposit in his account Twenty lakh rupees as the informant's company has purchased stone chips. Accordingly the informant transferred the amount in his account but later on it was found that no such stone chip was purchased.

Submission is that two other co-accused persons namely Subhash Jha and Ayog Raj had taken Three lakh rupees as personal loan from the petitioner and they said that some money will be coming in his account and after adjusting the loan amount the rest amount should be returned to them. Accordingly the petitioner returned back the rest amount to these two persons. It is further submitted that other co-accused has been granted bail.

Having considered the specific allegation against the petitioner and that the money was deposited in his account on false representation the prayer for bail of the petitioner is refused.

Snkumar/-

(Arun Kumar, J.)

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