

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62935 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- RANIGANJ District- Araria

Raghunandan Yadav, Son of Bhuvneshwar Prasad Yadav, Resident of
Village- Jhalari Bhalwari, P.S.- Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Raniganj P.S. Case No. 45 of 2018 registered for the offence punishable under Sections 420 of the Indian Penal Code and Section 66(B)(C)(D) I.T. Act.

Informant has alleged that on 23.01.2018 at about 2.30 PM while he had gone to Punjab National Bank, Raniganj to withdraw his money. He tried several time to withdraw the money but money was not withdrawn. In the meantime, a person standing nearby took his ATM to help him and tried to withdraw the money but could not succeed and thereafter he returned ATM card to him but he found that his ATM card has been exchanged by that person and later on he received SMS on



his mobile that from his account number some unknown person has withdrawn Rs. 40,000/- and the money was transferred in the account of Raghunandan yadav (petitioner).

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. His ATM card was lost for which he had instituted a Sanha and from said ATM money was withdrawn by culprit without his knowledge. He has not been seen in CCTV footage. Petitioner has no criminal antecedent and he is in custody since 11.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, in connection with Raniganj P.S. Case No. 45 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that



case, prosecution will be at liberty to move
for cancellation of bail of the petitioner.

(S. Kumar, J)

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