

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70287 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- MADHUBANI TOWN District-
Madhubani

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Ajit Kumar Sah, Son of Mahesh Sah, Resident of Village- Phuhari, P.S.-
Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rishikesh Ojha, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Madhubani Town P.S. Case
No. 217 of 2018** instituted for the offence under Section(s)420,
406 Indian Penal Code and Section 66(O) of I.T. Act.

Counsel for the petitioner has submitted that
petitioner has been arrested merely on suspicion raised by the
informant before police.

The informant alleged that while he had gone to
withdraw money through ATM Card, one unknown person took
away his ATM Card and withdrew money after getting
knowledge of the ATM PIN. It is further alleged that the
informant received messages of withdrawal of amount from his



account from ATM and at Binod Agency totalling Rs.61,500/-. The informant went to Binod Agency and identified one unknown person in CCTV footage. Thereafter, the informant on 14.06.2018 found the same person near Binod Agency. He got him arrested. The seizure list has been prepared by police, which is part of First Information Report from which it appears that one ATM Card has been recovered from the possession of the petitioner.

The counsel for petitioner submits that aforesaid ATM Card does not belong to informant.

Petitioner is in custody since 15.06.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **Chief Judicial Magistrate, Madhubani**, in connection with **Madhubani Town P.S. Case No. 217 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-
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