

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20778 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -NARHAT District- NAWADA

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Usman Mian S/o Late Budhan Mian, R/o Village- Rasalpura, P.S.- Narhat/
Sitamarhi, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

The prosecution case as per the written report of Rustam Ali Ansari submitted to the Station House Officer, Sitmarhi P.S., to the effect that the father of the informant died on 15.12.2009 and mother being the nominee received gratuity amount and provident fund of Rs. 7,96,801/- on 04.12.2013 and thereafter amount of pension started crediting in the account of the mother of the informant from 25.02.2013 and the mother of the informant used to withdraw the money with the help of the



petitioner. It is alleged that after misusing the ATM card of the mother of the informant the petitioner withdrew Rs.20,000/- through ATM card but ultimately it was found that only Rs.1450/- is available in the account of the mother of the informant and when it is assumed that it is withdrawn by the petitioner. The mother of the informant died on 03.01.2018 due to the shock of withdrawal of the money.

It is submitted by learned counsel for the petitioner that during her life time the mother of the informant did not made any complain against the petitioner. Moreover, it is only alleged that he helped the mother of the informant in the transaction of the money. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the nature of accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Nawada in connection with Narhat (Sitamarhi) P.S. Case No. 19
of 2018, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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