

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24968 of 2018

Arising Out of PS. Case No.-506 Year-2017 Thana- LAHERIASARAI District- Darbhanga

Pankaj Kumar Singh @ Tinku, son of Umesh Prasad Singh, resident of
Village- Akharpur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-05-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with Laheriasarai P.S. Case No. 506 of 2017 dated 08.12.2017 instituted for the offences under Sections 420 and 406 of the Indian Penal Code.

The petitioner is not named in the FIR and has been arrested in the present case on mere suspicion. The ATM card of the husband of the informant was exchanged in the garb of providing help to her in withdrawing money from the ATM centre. Thereafter, it has been alleged by the informant, that several transactions were made from her account within a couple of days.

Learned counsel for the petitioner has



submitted that one such transaction is from the account of the petitioner to someone else's account. The identification of the petitioner has also taken place in the police station. The petitioner was, in one day remanded in about seven cases, though of the same nature.

From the FIR itself, it appears that the informant had not taken any care to know as to who was helping her in taking out money. That apart, it has not been stated by her in the FIR or during the course of investigation, as to when did she discover that her ATM card was exchanged with the one belonging to Dinesh Kumar. If at all she discovered it immediately after she was fobbed of her ATM card, she ought to have gone to the bank to confirm the aforesaid fact or block any withdrawal from her account. That not having been done, the case of the prosecution appears to be falling at the seams.

The petitioner is in custody since 09.01.2018.

In some of the cases, in which the petitioner has been made accused and was remanded in one day, he has been granted bail.

Considering the aforesaid facts the petitioner above named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Chief Judicial Magistrate,
Darbhanga in connection with Laheriasarai P.S. Case No.
506 of 2017.

(Ashutosh Kumar, J)

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