

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16407 of 2018

Arising Out of PS. Case No.-116 Year-2017 Thana- MOHAMMADPUR District- Gopalganj

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Ajeem Ansari age about 27 Years S/o Phul Mohammad Ansari, R/o Village-
Mohammadpur, Post - Mohammadpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar aged 31 years S/o Rama Nuz Prasad R/o vill. Murali P.S.
Chauradano Dist. West Champaran at present Bank of India, Branch Manager
Mohammadpur Dist. Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Prasad
For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Mohammadpur P.S. case
no. 116 of 2017 instituted for the offence under Section(s) 65/66 of
the I.T. Act 2000 and Section 420 of the Indian Penal Code.

It is alleged in the written report that this petitioner by using
the Master ATM card has illegally withdrawn a sum of Rs
10,75,677/- of the Bank making total 45 transactions.

Learned counsel for the petitioner has submitted that all the
transactions have been done due to some irregularity in the system
of the Bank. The petitioner after demand made by the Bank have
already returned the entire amount. He has deposited the amount of
Rs. 10,82,334.00/- in the Bank.



Learned APP has after verifying the case diary submitted that in para 23 of the case diary it is mentioned that amount has already been adjusted.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Mohammadpur P.S. case no. 116 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM 1st Gopalganj, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if 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.

(Sanjay Priya, J)

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