

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3411 of 2018

Arising Out of PS.Case No. -241 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Lakshmi Kumar, Son of Kameshwar Prasad @ Kameshwar Pd. Sah,
Resident of Village- Sonapur Gola Bazar, Police Station- Sonapur, District-
Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bindhyachal Singh, Advocate.
Ms. Smriti Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Hajipur Town P.S. Case
No. 241 of 2017 registered under Sections 420 and 379 of the
Indian Penal Code.

Some unknown miscreant is said to have changed
the ATM card of the informant on the ATM kiosk and withdrawn
money from her account including transfer of Rs. 3000/- in the
account of one Md. Abdullah. Miscreant may be identified from
the CCTV footage installed in the kiosk.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the F.I.R. No incriminating



article has been recovered from his conscious physical possession. The petitioner has neither taken the ATM card of the informant nor withdrawn any money from her account. As a matter of fact, the police falsely implicated the petitioner in the occurrence by planting recovery of several ATM cards including that of the informant from the possession of the petitioner. It is further submitted that without knowing the PIN Code Number, there is no use of the ATM Cards and money cannot be withdrawn from account of any person without knowing the pin code number. The petitioner also does not happen to be the beneficiary of the amount withdrawn from the account of the informant. The petitioner has been languishing in custody since 09.06.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Hajipur in connection with Hajipur Town P.S. Case No. 241 of 2017.

(Prakash Chandra Jaiswal, J)

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