

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6771 of 2018

Arising Out of PS. Case No.-86 Year-2017 Thana- RAMNAGAR District- West Champaran

Vijay Kumar @ Vijay Kumar Saraf, son of Madan Lal Saraf, resident of Ward No. 3, Nagar Panchayat Ramnagar, Hind Cenama Chowk, West Champaran, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi

For the Opposite Party/s : Mr. SRI ASHOK KUMAR SINGH 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-03-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Ramnagar P.S. Case No. 86 of 2017 registered for the offence punishable under Sections 420 and 34 of the Indian Penal Code.

The allegation of the informant is that some unknown persons had deposited money in his account and thereafter, the same was transferred to the account of the accused persons and this kept ongoing on a couple of occasions.

The learned counsel for the petitioner submits that on account of mistake committed by the Bank, the money was wrongly deposited in the account of the informant and however,



the same was rightly credited to the account of the accused persons. The learned counsel further submits that at best, this can be a case to be pursued by the Income Tax Department, however, the informant does not have any locus to prosecute the present criminal case inasmuch as neither any wrong has been committed to him nor he has suffered any loss. It is further submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Chief Judicial Magistrate, West Champaran at Bettiah in connection with Ramnagar P.S. Case No. 86 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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