

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43021 of 2018

Arising Out of PS. Case No.-198 Year-2018 Thana- SARAIYA District- Muzaffarpur

Amit Kumar S/o Late Jaleshwar Sahani, R/o Vill.- Sain, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 24-09-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner seeks bail in **Saraiya P.S. Case No. 198 of 2018** registered for the offence punishable under Sections 379 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he exchanged the ATM Card of Informant while he was in queue to withdraw money from ATM and Rs. 66,000/- was withdrawn from his account. After one month when Informant came to ATM for withdrawal of amount he saw the petitioner and thereafter he was apprehended and sent to jail.

It has been submitted on behalf of the petitioner that no ATM Card has been recovered from the possession of the petitioner. Petitioner has got no criminal antecedent and is in



custody since 18.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1st West Muzaffarpur**, in connection with **Saraiya P.S. Case No. 198 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the 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.

(S. Kumar, J)

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