

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3862 of 2018

Arising Out of PS. Case No.-476 Year-2017 Thana- GARKHA District- Saran

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Ramu Rai S/o Shanker Rai, R/o Vill-Affaur P.S. Khaira (Nagar O.P.)Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 03.12.2017 in connection with Garkha P.S. Case No. 476 of 2017 registered for the offence punishable under Sections 420, 379 and 411 of the Indian Penal Code and Section 66 of the I.T. Act.

The prosecution case, as lodged by the informant, is that the petitioner took his ATM card and changed it with another. He was apprehended after some time trying to take out money from the ATM and was found in possession of six other ATM cards.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated. He submits that no money has been taken out from the account of the informant and the petitioner has been punished enough. He submits that charge-sheet has already been submitted.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-2nd, Saran at Chapra in connection with Garkha P.S. Case No. 476 of 2017, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at



liberty to move the learned Court below for
cancellation of his bail bonds.

(Nilu Agrawal, J.)

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