

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9809 of 2018

Arising Out of PS. Case No.-573 Year-2017 Thana- PATRAKARNAGAR District- Patna

Rishav Raj S/o Sri Rakesh Kumar Singh, R/o Village- Dharhara, P.S.-
Paliganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Branch Manager Cannra Bank , Hanuman Nagar Branch, Patna.21.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sada Nand Roy, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the Bank	:	Mr. Prabhat Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

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

Petitioner, already in custody, seeks bail in connection with
Patrakar Nagar P.S. Case No.573 of 2017, registered under
Sections 406/419/420/467/468/471/34 of the Indian Penal Code
as well as under Section 66 of the I.T. Act.

Allegation in brief is that a clone cheque of Rs.3,80,000/-
was deposited in the account of the petitioner for transmitting
the money in his account. The money was transmitted and later
on it was found that the said cheque was a clone cheque of
another person. In the meanwhile, all the deposited amount was
withdrawn by the petitioner through ATM as well as by internet
banking.



Learned counsel for the petitioner submits that the petitioner had no knowledge who deposited the clone cheque and the money was withdrawn by using ATM and by way of electronic mode; whereas learned counsel appearing on behalf of Canara Bank submits that the clone cheque was deposited in the petitioner's account and he withdrew the entire amount by using ATM and by online banking.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner is rejected in connection with Patrakar Nagar P.S. Case No.573 of 2017, pending in the court of learned ACJM, Patna with a direction to the trial court to expedite the trial.

(Arun Kumar, J)

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