

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72818 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- HATHUA District- Gopalganj

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Vikash Kumar Ram @ Vikash Kumar, S/o Bhagnath Ram aged about 22 Years, R/o Village- Mishrawalia, P.O.- Lauria, P.S.- Govindganj, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma

For the Opposite Party/s : Mr.Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-12-2018 The petitioner seeks bail in anticipation of his arrest in connection with Hathua P.S. Case No. 96 of 2018 dated 07.06.2018 instituted for the offences under Sections 379, 420 of the Indian Penal Code and Section 66(c) of the Information Technology Act, 2000.

The informant has alleged that from his account No. 11453754213, unauthorizedly Rs. 63,000/- has been withdrawn. It has also been alleged that the ATM Card of the informant has been fraudulently changed. Out of the aforesaid withdrawal from the account of the informant, Rs. 40,000/- is stated to have been deposited in the account of the petitioner.



The learned counsel for the petitioner has submitted that petitioner is a labourer and has never deposited any big account in his account. In fact, on one occasion when he had visited the Bank and was trying to withdraw money through ATM Card, he was helped by another customer of the Bank who perhaps changed the ATM Card. Ever since thereafter, the ATM Card of the petitioner is being misused. It was in this connection that some amount was deposited in his account and was later withdrawn. The petitioner could sense the foul play only when some people arrived at his home and threatened him. After he came to know that his ATM Card also has been changed, necessary application was made by him before the concerned Bank, copy of which has been brought on record by the petitioner.

Regard being had to the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction



of learned Chief Judicial Magistrate, Gopalganj in connection with Hathua P.S. Case No. 96 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

It is, however made clear that whenever the Investigating Agency would require the presence of the petitioner, the petitioner would oblige and make full disclosure before the Investigating Agency. Any attempt of the petitioner to run away from the investigating process would entitle the Investigator to proceed for cancellation of his bail bonds.

(Ashutosh Kumar, J)

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