

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10984 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- CHIRAIYA District- East Champaran

KANHAIYA KUMAR, Son of Late Sharvan Sahani, R/o village- Kodai, P.S-
Pakarideyal, Dist.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 16.10.2018 in a case registered for the offence punishable under Sections 401, 411, 413, 414, 420, 34 of the Indian Penal Code.

The prosecution case is that the informant, being the S.I. of Police, on receiving an information that some miscreants are misusing the ATM cards of different persons, a raid was laid, but on seeing the police, all the accused persons started fleeing away from there, but on chase being made by the police, three of them were apprehended, who disclosed their names as Kanhaiya Kumar, the petitioner, co-accused Radhamohan Kumar and Manoj Kumar. It is alleged that on



frisking, from the possession of the petitioner, three ATM cards of different persons and two mobile phones were recovered, whereas, from the possession of co-accused, Radha Mohan Kumar, three ATM cards and a mobile phone when from the possession of co-accused Manoj Kumar, four ATM cards and a mobile phone were recovered.

It is submitted by learned counsel for the petitioner that no money was withdrawn from the said recovered ATM cards from the petitioner and the investigation has already been concluded. It is further submitted that though the petitioner is accused in two other cases, apart from the present case, but in both the cases he is on bail.

Learned APP for the State submits that recovery of ATM cards of different persons has been made from the possession of the petitioner also.

Considering the fact that the investigation has already been concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sikrahana at Dhaka, East Champaran, in connection with Chiraiya P.S. Case No.374 of 2018



Since the petitioner is having serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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