

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16175 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- WAJIRGANJ District- Gaya

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Santan @ Shiv Raj Kumar @ Sanam, Son of Sri Sudhir Singh, Resident of
Mohalla - Teacher Colony, P.S.- Wazirganj, Distirct - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 467, 468, 471, 420,
413 and 414/34 of the Indian Penal Code.

The prosecution case as per the written report of Sujeet
Kumar, Inspector-cum-SHO, Wazirganj Police Station submitted
to ACJM-Ist, Gaya is to the effect that on 24.10.2018 at about
5.30 P.M., a secret information was received that in Pathraura
Colony, Wazirganj Police Station in the house of Baliram
Kumar, some miscreants have assembled and are preparing to
commit a serious offence relating to ATM's. Whereupon, a raid
was laid and three persons were apprehended from the place of
occurrence, who disclosed their names as Baliram Kumar, Sonu



Kumar and Gautam Kumar @ Kaila and from their possession, many ATM cards of different Banks, ATM card cloner machine, PAN card and other articles were recovered. The apprehended co-accused persons disclosed the name of other co-accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner and the name of the petitioner sprang up on the confessional statement of apprehended co-accused persons. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of apprehended co-accused persons.

Considering the fact that there is no recovery from the conscious physical possession of the petitioner and name of the petitioner sprang up on the confessional statement of apprehended co-accused persons, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks



from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Gaya** in connection with **Wazirganj P.S. Case No.340 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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