

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16755 of 2019**

Arising Out of PS. Case No.-784 Year-2018 Thana- DEHRI TOWN District- Rohtas

UPENDRA SAH Son of Late Phekan Sah Resident of Village - and Post -
Bhadokhara, P.S.- Tilauthu, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Narayan Rai

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
01.09.2018 in a case registered for the offences punishable
under Sections 406 and 420 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report of Wali Mohammad submitted before the Station
House Officer, Dehri Town Police Station is to the effect that
on 10.08.2018, the informant withdrew Rs.15,000/- from his
bank account through ATM of AXIS Bank at Dehir and
balance amount in the said bank account reflected
Rs.2,15,416/-. Thereafter, again on 24.08.2018, the informant
went to withdraw the further amount, then the balance
reflected only Rs.9000/-. On seeing the balance, the informant
came to know that the amount has been transferred from the



account of the petitioner.

It is submitted by learned counsel for the petitioner that in fact, the informant's account has been hacked and the amount was transferred in Gaya, Nawada and Patna. It is further submitted that for the alleged transfer neither the petitioner is responsible nor did he withdraw the alleged amount.

Learned APP for the State submits that this is admitted position that the said amount was transferred into the bank account of the petitioner and the said withdrawal was made by the petitioner.

Considering the aforesaid fact that the investigation has already been concluded 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 bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Rohtas at Sasaram in connection with Dehri (T) P.S. Case No. 784 of 2018.

(Dinesh Kumar Singh, J)

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