

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23297 of 2019

Arising Out of PS. Case No.-431 Year-2018 Thana- MUFFASIL District- West Champaran

Falguni Kumar, aged about 25 years, Male, Son of Basant Mandal Resident of Village-Nawadih Panchayat, Shankari-via-Deopur, P.O-Jasidiah, District-Deoghar(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha, Advocate
For the State : Mr. Ram Naresh Rai, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 16-07-2019

Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Muffasil P.S. Case No. 431 of 2018 dated 17.08.2018 instituted under Sections 420, 406 and 379 of the Indian Penal Code.

3. The allegation against the petitioner is that fraudulently he had got money withdrawn from another person's account and had utilized it.

4. Learned counsel for the petitioner submitted that on the alleged date, the petitioner had gone to the ATM for withdrawing his own money. However, on a query of the Court as to how the money fraudulently withdrawn from another



person's account, has come into his account and he has withdrawn the amount, as has been found during investigation by the police, learned counsel had no explanation.

5. Learned APP, upon going through the case diary, submitted that the police have found documentary evidence of the petitioner having fraudulently withdrawn the money belonging to someone else and also utilizing it.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any merit in the present application. Accordingly, the same stands dismissed.

7. The provisional anticipatory bail granted to the petitioner earlier by order dated 15.04.2019, as a consequence stands withdrawn. His bail bonds stand cancelled and he shall surrender before the Court below within one week from today, failing which the Court shall take all coercive steps to ensure that the petitioner is taken into custody.

(Ahsanuddin Amanullah, J.)

P. Kumar

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