IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28538 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- DARIYAPUR District- Saran

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Ranjit Singh, aged about 37 years, Gender-Male, Son of Late Baijnath Singh, Resident of Village-Dhongha, Police Station-Dariyapur, District-Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

3 24-07-2019 Supplementary affidavit is being filed by the petitioner. Let it be kept on record.

Heard learned counsel for the petitioner, the State and the informant.

The petitioner apprehends his arrest in connection with Dariyapur P.S. Case No. 34 of 2019 registered for the offences punishable under Sections 406, 420, 379, 467, 468 of the Indian Penal Code.

The specific allegation against the petitioner is that he took the ATM Card of the informant and also asked the ATM Pin and withdrawn cash of Rs. 5,000/- and changed the ATM card and handed over a fake ATM to the informant thereafter the petitioner secretly withdraw the money of Rs. 1,81,000/- from the account of informant from 24.01.2019 to 27.01.2019 and when the informant came to know about withdrawal of his money from his account then on 28.01.2019, the informant locked his account and verified his ATM card then he found that his ATM card has been changed by the petitioner and has been withdrawn huge amount from his account.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case due to alter motive. He further submitted that the allegation against the petitioner is that he demanded Rs. 5,000/- from the informant then informed asked to the petitioner that at present, he has no cash but he has ATM card but he does not know that how money is withdrawn from ATM, then petitioner told that he will withdraw money then informant handed over his ATM card to the petitioner. The petitioner first time withdrawn Rs. 5,000/- and handed over a fake ATM card to the informant. Further allegation is that the petitioner withdraw Rs. 1,81,000/- by using ATM card of the informant from the account of the informant. Paragraphs 7, 8 and 9 of the case diary supported the allegation against the petitioner. Hence, it is not a fit case for grant of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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