

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36291 of 2019

Arising Out of PS. Case No.-164 Year-2017 Thana- BARBIGHA District- Sheikhpura

Ashish Ranjan, Son of Dilip Kumar Singh, Resident of Village - Khajur Kurama, P.S.- Rajoun, Distt.- Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. The Branch Manager, State Bank of India, Barbigha Branch, District-Sheikhpura.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party No.2:		Mr. Anjani Kumar Mishra, Advocate
		Mr. Ambarish Bardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

8 16-11-2019 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party no.2.

The petitioner seeks pre-arrest bail in connection with Barbigha P.S. Case No.164 of 2017 registered for the offence punishable under Section 420 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner has never made any call on the informant's mobile number nor any amount from the bank account of the informant has been transferred to the petitioner's account, which would be evident from the statement of the bank account of the petitioner being maintained in the State Bank of India, Jagdishpur in the district of Banka vide Account



No.34216077885. The amount of Rs.45, 989/- was not transferred from the account of the informant to the account of the petitioner. In the entire case diary, there is no material to suggest that the petitioner had any hand in the alleged fraudulent withdrawal of money.

Learned counsel appearing for the Bank submitted that the amount in question was transferred from the account of the informant to the wallet of Airtel money and Paytm mobile. He contended that there is no record with the bank to suggest that any amount from the account of the informant was directly transferred to the account of the petitioner.

Learned counsel appearing for the State submitted that the case is still under investigation and it is a case of fraudulent withdrawal of Rs.45,989/- from the account of the informant.

Be that as it may, regard being had to the facts and circumstances of the case as also the submissions made on behalf of the parties, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Sheikhpura in connection with Barbigaha P.S. Case
No.164 of 2017 subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

