

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41238 of 2019**

Arising Out of PS. Case No.-313 Year-2018 Thana- KESARIA District- East Champaran

PANKAJ SAH Son of Munna Sah Resident of Village - Jamin Mathiya, P.S.-
Meenapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 13-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 24.01.2019 has filed the instant application for grant of bail in connection with Kesariya P.S. Case No. 313 of 2018 registered for the offence punishable under sections 420 and 379 of the Indian Penal Code.

As per the allegation in the FIR, the informant was cheated while he was withdrawing money through ATM of the bank. It is stated that Rs.14000/- was illegally transferred from the account of his son by the person who was showing himself to be assisting the informant.

It is submitted by learned counsel for the petitioner that the amount alleged in the F.I.R. are stated to have been transferred in the account of one Shankar Sah of District Supaul



whereas petitioner happens to be Pankaj Sah, resident of District Muzaffarpur and that the petitioner is no way connected with the said Shankar Sah. It is further submitted that the petitioner has been taken into custody and his signature was forcibly taken on a plain paper on which his confessional statement was prepared. No incriminating article has been recovered from the possession of the petitioner nor the said cheated amount of the informant has in any manner been linked with this petitioner. The petitioner is in custody since 24.01.2019.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the petitioner is in custody since 24.01.2019, let the petitioner above named be enlarged 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 Additional Chief Judicial Magistrate III, Motihari in connection with Kesariya P.S. Case No. 313 of 2018.

(Partha Sarthy, J)

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