

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54413 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Shiv Kumar, Son of Raghubansh Kumar, Resident of Village- Bhusara (Man
Tola), P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Akhileshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Muzaffarpur Sadar P.S. Case No. 126 of 2019, registered
under Section 420 of the Indian Penal Code, pending in the
court of Chief Judicial Magistrate, Muzaffarpur.

The accusation is that informant, Kaushal Kumar,
reached at SBI ATM, Reva Road on 15.02.2019 and swapped
his ATM cad but the ATM machine was not in functioning.
Thereafter, a person who present there asked him to use another
ATM card but that was, too, not functioning. Thereafter, he
reached at ATM of Bank of India situated at Kalambag to
withdraw the amount and swapped the ATM card then it shows



insufficient balance and just after there at 1.10 P.M., he received message that Rs.21,000/- has been withdrawn. When he approached the Branch Manager of State Bank of India, B.U Campus and made inquiry then it was found that Rs.21,000/- was transferred in the account Shiv Kumar (petitioner).

Learned counsel for the petitioner submits that while Rs.21,000/- has been received in the account of the petitioner but he had no knowledge about the said money, which was credited in his account.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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