

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58255 of 2019

Arising Out of PS. Case No.-274 Year-2018 Thana- GOVINDGANJ District- East
Champaran

AMIT KUMAR CHAUHAN @ AMIT CHAUHAN, aged about 24 years,
Male, Son of Raja Mahto, Resident of Village - Purani Chowk, Nonia, Patti,
P.S.- Gopalganj Town, Dist.- Gopalganj ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : M/s Ashhar Mustafa & Talib Mustafa, Advs.
For the Opposite Party : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Govindganj P.S. Case No. 274 of 2018 for the offences alleged
under Sections 420, 467, 468, 471 and 34 of the Indian Penal
Code.

The accusation is that on 08.09.2018, the informant
went at State Bank of India ATM (Automated Teller Machine)
and made attempt to withdraw the money from the account of
his father, but, not knowing the process, he handed over the
ATM card to the person, who was behind him to withdraw
Rs.10,000/-, thereafter, he checked the balance and found that
Rs.40,000/- has been transferred in the account belonging to
Shahabuddin Ansari, son of Akbaruddin Ansari of village
Pathra, P.S. Monjha, district Gopalganj.

The submission of the learned counsel for the
petitioner is that the petitioner is not named in the first



information report. In course of investigation Zeeshan Adil was apprehended, who disclosed the name of the petitioner and one Tabrez Ali saying that they were also in his company indulged in withdrawing money. Further, submission is that co-accused, Tabrez Ali, has already been allowed privilege of pre-arrest bail vide Cr. Misc. No. 12394 of 2019 on 05.03.2019. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Govindganj P.S. Case No. 274 of 2018 shall 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 Chief Judicial Magistrate, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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