

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59965 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- DURAULI District- Siwan

ABHISHEK KUMAR SHAHNI Son of Pannelal Shahni Resident of Village -
Dumariya, P.S.- Mohamadpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Tiwary
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Darauli P.S. Case No. 125 of 2019 registered
for the offence punishable under Sections 420, 467, 468/34 of
the Indian Penal Code and 66, 66©, 66(A) of I.T. Act.

Informant has alleged in his written complaint that
on 03.08.2019 at about 8.40 AM while he had gone to Darauli
Bazar for withdrawing cash from Indian A.T.M. where two
persons were already standing for withdrawing cash. One of
them told him that give me your A.T.M. for withdrawing the
money and he withdrew Rs. 500/- and returned another A.T.M.
card to him. Thereafter he again told him for withdrawing Rs.
2000/- on which he told that no further cash can be withdrawn.



Thereafter he caught him and handed over to the police and other co-accused fled away from there.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to hot talk with informant for withdrawing cash. There is no recovery of A.T.M. card from the possession of petitioner by the police. Petitioner has no criminal antecedent and he is in custody since 28.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Darauli P.S. Case No. 125 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his



bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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