

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73307 of 2018

Arising Out of PS. Case No.-152 Year-2018 Thana- BIHPUR District- Bhagalpur

=====

Dharmender Kumar Son of Sunderdeo Sah, Resident of Village-Biroli Bazar,
Ajhokhopa, P.S. Rupouli, District-Purnia.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Smt. Anita Kumari Singh

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 419, 420 IPC registered in connection with Bihpur P.S.
Case No. 152 of 2018.

3. It is submitted that the petitioner has been falsely implicated
with the accusation that the ATM card was snatched by the petitioner
and subsequently an amount of Rs. 40,000/- was withdrawn and an
amount of Rs. 10,200/- was transferred to the petitioner's account. It is
submitted that no FIR has been instituted at the time when the ATM
card is alleged to have been snatched on 09.02.2018 and the FIR has
been instituted after more than two months on 11.04.2018. The
informant has also not explained how the petitioner came to know the
PIN in order to operate the ATM machine for the purpose of the
transactions. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned



ACJM Ist. Naugachia, District Bhagalpur in connection with Bihpur P.S. Case No. 152 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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

