

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63456 of 2019

Arising Out of PS. Case No.-210 Year-2019 Thana- TEKARI District- Gaya

RAUSHAN KUMAR Son of Shyamdeo Singh Resident of Village - Kesho
Bigha, P.S.- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivendra Prasad
For the Opposite Party/s	:	Mr.Satyavrat Verma
For the informant	:	Mr. Manish Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 04-12-2019 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner seeks bail in connection with Tekari
Police Station Case No. 210 of 2019, registered for the offences
punishable under Sections 406/420/379 of the Indian Penal
Code.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner and the informant are
co-villagers and father of the petitioner had requested the
informant to lend some money for the purpose of his treatment
and in pursuance thereof, the petitioner and the informant went
to the SBI ATM and the informant allegedly handed over the



ATM card to the petitioner for withdrawal of a sum of Rs. 15,500/- and the PIN was inserted by the informant in presence of the petitioner and it has been alleged that the petitioner changed the ATM card of the informant and handed over another ATM card to him and subsequently a total amount of Rs. 6,77,740.40/- has been withdrawn through the ATM by way of cash and purchase from different outlets by the petitioner and his accomplice.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and in his re-statement, the informant has stated that the informant himself had withdrawn the amount in presence of the petitioner. He, however, without prejudice to his right and contention, offers to pay a sum of Rs. 2,50,000/- to the informant in three installments, subject to the final outcome of the present case.

Learned Counsel for the informant accepts the offer made by the petitioner and agrees that the petitioner may be released on bail on the above mentioned condition.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is in judicial custody since 05.08.2019, and the offer



made by the petitioner has been accepted by learned Counsel for the informant, I am inclined to enlarge the petitioner on bail.

This application is, accordingly, allowed.

Let the petitioner, Raushan Kumar, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Gaya, in connection with Tekari Police Station Case No. 210 of 2019, subject to the condition that the petitioner shall pay a sum of Rs. 2,50,000/-, as agreed, within a period of three months from the date of release of the petitioner, positively.

It is made clear that if the petitioner shall not abide by the condition of the bail, the informant shall be at liberty to take appropriate steps against the petitioner in accordance with law.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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