

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65272 of 2019

Arising Out of PS. Case No.-329 Year-2019 Thana- KUDHNI District- Muzaffarpur

SACHIN KUMAR S/o Ashok Prasad R/o village- Chadhua, P.S.- Kudhani
(Turki O.P.), Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-11-2019 The petitioner apprehends his arrest in connection with Kudhani (Turki OP) P. S. Case No. 329 of 2019 registered under Sections 379 and 420/34 of the Indian Penal Code.

Allegation against the petitioner is that he, being the neighbour of the informant, received ATM card on 01.03.2019 and handed over to the informant on the same day. It has further been alleged that total amount of Rs. 40,000/- was withdrawn from the account of the informant fraudulently and a sum of Rs. 30,000/- was withdrawn on 20.03.2019 and sum of Rs. 8,000/- and Rs. 2000/- has been withdrawn on 30.03.2019.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that he, being the neighbour of the informant, had received the ATM card and handed it over to



the informant on 01.03.2019 itself. He further submits that allegation is that amount of Rs. 40,000/- was withdrawn from the bank account of the informant through ATM up till 30.03.2019 but the present FIR has been lodged after delay of about more than two months i.e., on 22.05.2019 falsely implicating the petitioner in this case.

Having regard to the submissions made by the parties and taking into consideration the fact that there is unreasonable delay of more than two months in lodging the FIR, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-3rd, (West) Muzaffarpur in connection with Kudhani (Turki O.P.) P.S.Case No. 329 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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

