

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72577 of 2019

Arising Out of PS. Case No.-174 Year-2019 Thana- FORBESGANJ District- Araria

Bibek Kumar Jha @ Bawa Jha @ Vivek Kumar Jha Son of Ajit Jha Resident
of Village- Belay Pothiya Ward No. 01, Police Station- Simraha(Forbesganj),
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Forbesganj P.S. Case No. 174 of 2019**, registered for the offence punishable under Section 420 of the Indian Penal Code and section 66(c) of the Information Technology Act.

As per prosecution case, on 16.01.2019 at about 10-12 hours the informant received message of withdrawal of Rs. 10,000/- from her account on her registered mobile number, though A.T.M card was with her. Thereafter, Rs. 40,000/- was also withdrawn from her account. The informant made complain to the concerned Bank and also get locked her A.T.M. card.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner is not named in the F.I.R. Nothing has been recovered from his possession. Name of petitioner has



come during investigation, on the basis of suspicion. Save and except suspicion, there is nothing against this petitioner, to connect this petitioner with the alleged crime. Petitioner is in custody since 09.07.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Araria** in connection with **Forbesganj P.S. Case No. 174 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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