

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79990 of 2018

Arising Out of PS. Case No.-506 Year-2018 Thana- MUFFASIL District- West Champaran

Niraj Kumar S/o Babulal Sah, R/o Village-Mahuawa, Madarsa, P.S.
Jagdishpur, District-West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

2018... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Bettiah (M) P.S. Case No. 506 of 2018 registered under Sections
420, 406, 379/34 of the Indian Penal Code and Section 66 (D),
I.T. Act.

Ten accused persons named in the FIR including
the petitioner are said to be indulged in cheating the people in
the name of lottery and got money deposited in the account of
third person and taking the ATM card of that account holder
withdraw the same. The petitioner and one Amit Kumar



were apprehended by the people on the ATM kiosk and ATM card standing in the name of Md. Shami was recovered from their possession.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to dirty politics. He has neither cheated any person nor withdrawn the money from the account of any person by using the ATM card. No money has been recovered from his possession. The ATM card recovered from the possession of the petitioner is hailing to co-accused Md. Shami. He has no criminal antecedent and has been languishing in custody since 21.09.2018 and two accused persons, namely, Rahul Kumar and Kuldeep Kumar have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 08.01.2019 and 16.01.2019 passed in Cr. Misc. Nos. 78096 of 2018 and 78216 of 2018 respectively.

In the facts and circumstances of the case, the above named petitioner 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, Bettiah, West Champaran in



connection with Bettiah (M) P.S. Case No. 506 of 2018.

(Prakash Chandra Jaiswal, J)

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