

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9605 of 2020

Arising Out of PS. Case No.-151 Year-2019 Thana- RAJAOLI District- Nawada

Shankar Singh @ Shanker Kumar Singh, Male, aged about 50 years, S/o Late Brij Bihari Singh, R/o village- Purani Bus Stand Rajauli, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-09-2020 Heard the parties through the virtual court proceeding.

The petitioner apprehends his arrest in connection with Rajauli P.S. Case No. 151 of 2019 (G.R. No.2171 of 2019) registered for the offences punishable under Sections 379 and 420 of the Indian Penal Code.

The case of the prosecution in short is that informant Anuj Sao has an account bearing no.38089245641 in Customer Service Point (C.S.P.) of State Bank of India, Rajauli and Rs.55,000/- was available in his account and his A.t.M. card was issued from the said Bank but Shankar Singh who is running C.S.P. gave him ATM PIN number in written while PIN number is sealed in envelope and Rs.54,000/- were withdrawn from his account through ATM at five times and the informant claims



that Shankar Singh has withdrawn the said money from his account.

Learned counsel for the petitioner submits that the petitioner is innocent, has committed no offence as alleged and has falsely been implicated in this case. It has further been submitted that this petitioner is the operator of Customer Service Point at Rajauli S.B.I. under branch office of S.B.I., Rajauli since 2011 and no cash has been withdrawn from his C.S.P. rather money has been withdrawn through ATM card of informant at several places at Chandbara, Patna, Ramgarh and other places. It has further been submitted that the informant and this petitioner are resident of same places and some hot discussion has been made between them as a result this false case has been lodged against the petitioner.

From perusal of the case diary, it appears that that this petitioner is named in the F.I.R. and there is specific allegation against him that he gave PIN number of ATM card to the informant by written on a paper and as such he also knows the PIN number of the informant and after that Rs.54,000/- has been withdrawn from the account of the informant at five times through ATM. The informant as well as other witnesses have supported the prosecution case. The police also found the case



true against the petitioner under Sections 420 and 379 of I.P.C.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner in connection with Rajauli P.S. Case No.151 of 2019 (G.R. No.2171 of 2019) pending in the court of learned Chief Judicial Magistrate, Nawada is hereby rejected. However, the petitioner is directed to surrender before the court below and the learned court below shall dispose of the bail application of the petitioner on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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