

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18045 of 2020

Arising Out of PS. Case No.-30 Year-2012 Thana- KANTI THARMAL POWER District-
Muzaffarpur

SUMIT KUMAR, aged about 27 years, Male, Son of Ganesh Prasad Sahni,
Resident of Village - Madhuban Kanti Jamin Mathiya, P.S.- Minapur, District
- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs.Bela Singh, Advocate.
For the Opposite Party : Mrs. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 420, 467, 468, 471 and
120(B) of the I.P.C.

The prosecution case, in short, is that the petitioner
withdrawn money from other account holders when they used to
withdraw their amount from the said ATM situated in front of
Kanti Thermal Power. Whenever, the customers withdrew the



amount later on, some persons used to withdraw the money.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in the present case merely on the basis of suspicion. The petitioner himself is a customer of the Bank in question. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., West Muzaffarpur, in connection with Kanti P.S. Case No. 30/12, G.R.No. 128/12, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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