

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27232 of 2020

Arising Out of PS. Case No.-227 Year-2019 Thana- SUPPI District- Sitamarhi

1. Ramagya Sahni S/o Late Ramvriksha Sahni Resident of Village-Ramnagra, P.S-Suppi, District-Sitamarhi.
2. Niraj Kumar S/o Pachu Rai Resident of Village-Ramnagra, P.S-Suppi, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Santosh Kumar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-10-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through Video conferencing.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 406/420 of the Indian Penal Code.

Prosecution's case in short is that on 16.10.2019 both the petitioners came to the house of the informant with a mobile phone and a swipe machine in the hands of petitioner no.2. On the pretext to check whether the amount of Indira Aawas Yojna has been credited to his Bank account or not, they insisted the informant to put his thumb on the aforesaid machine which was followed by him. Meanwhile, on suspicion, when the informant checked his Bank account balance, he came to know



that Rs.10,000/- has been debited. Informant has further alleged that in the like manner, the accused persons had also withdrew Rs.5,000/- from the Bank account of one Rubbi Devi on 17.10.2019.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He submits that petitioner no.1 is the husband of Panchayat Samiti Member and petitioner no.2 is his supporter, whereas the informant is supporter of rival candidate and the instant false case has been lodged with ulterior motive. Besides this, it is improbable that amount can be debited from the bank account by putting thumb on a swipe machine on which withdrawal of money can only be possible on swiping ATM card.

Learned counsel for the State opposes the prayer for bail. He submits that during investigation witnesses have supported the allegation. Moreover, amount up to Rs.10,000/- can be withdrawn from the bank account using an Electronic machine by putting thumb on it when the bank account is connected with Aadhar number.

Considering the facts of the case and the nature of allegation, prayer for bail of the petitioners is rejected with



direction to surrender and seek regular bail which would be considered and disposed of on its ow merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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