

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54729 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- LAHERIMUHALLA District- Nalanda

Ravikant Sharma Son of Kapildeo Sharma Resident of Mohalla - Shivpuri,
P.S.- Laheri, District - Nalanda, Bihar Sharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 05-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379 and 420 of the IPC.

The prosecution case, as per the written report of Devendra Prasad submitted to the Station House Officer, Laheri Police Station, is to the effect that on 24.01.2019 at about 1 P.M., the informant went to S.B.I. ATM, situated at Kamruddinganj to get his ATM card activated. It is alleged that the petitioner, being the security guard of the said ATM came to help the informant and got the ATM card of the informant activated after taking the mobile phone from the informant. Subsequently, on 25.01.2019, the informant received a message that in two transactions, total



Rs. 39,000/- has been withdrawn from the bank account of the informant. Hence, the informant raised suspicion that the petitioner either himself withdrew the money or got the money withdrawn by some other persons.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been roped in the present case. For the alleged occurrence of 25.01.2019, the FIR has been lodged on 28.01.2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, after going through the case diary, submits that though the case diary, containing only four pages, has been received but it has been recorded only up to 24.05.2019, which suggests the casual manner in which the investigation has been done and the casual manner in which the order of this Court has been complied with. It is further submitted that in the case diary only suspicion has been raised against the petitioner.

Considering the suspicious nature of accusation, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from



today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Laheri P.S. Case No. 42 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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