

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67465 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- BIHIA District- Bhojpur

Sunil Kumar, Son of Kameshwar Yadav, Resident of Village- Kumadihan,
Police Station- Kako (Bhelawar) in the district- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar- Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 19-06-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Bihiya P. S. Case No.52 of 2018 registered for the offences punishable under Sections 420, 379 of the I.P.C.

Petitioner is not named in the first information report, but in course of investigation, it was detected that Rs.12,000/- was deposited in the saving account of the petitioner on 17.02.2018. Moreover, Para-53 of the case diary goes to show that the concerned Manager of the bank compared the photographs of the persons, who manipulated in the ATM machine and replaced the ATM Card of the petitioner and came



to conclusion that it was that person, who transferred the amount in the account of the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is a poor labourer and as a matter of fact, he resides at Gujarat and someone replaced his ATM Card and used the same for committing the alleged crime.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Bhojpur at Ara in connection with Bihiya P. S. Case No.52 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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