

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33229 of 2020

Arising Out of PS. Case No.-57 Year-2015 Thana- BARHARIA District- Siwan

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MOHAMMAD HAIDAR ALI @ MD. HAIDAR ALI Son of Md. Amiruddin
Shah Resident of Village - Kundwan, P.S. - Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mrs. Asha Devi, APp

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 420 and 406 of the Indian Penal Code.

The prosecution case, in short, is that the accused
person fraudulently withdrawn a sum of Rs. 1,15,000/- from the
account of the informant by changing A.T.M. Card..

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake



of fact. The petitioner had no knowledge regarding deposit of Rs. 30,000/- in his account. It is further submitted that the petitioner is ready to deposit a sum of Rs. 20,000/- (twenty thousand) in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 20,000/- (twenty thousand) in the Court below which shall be subject to final disposal of the case**, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 57 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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