

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37840 of 2020**

Arising Out of PS. Case No.-372 Year-2017 Thana- BELAGANJ District- Gaya

UPENDRA PANDIT, Son of Suraj Pandit Resident of Village - Kripa Bigha,
P.S. - Rajgir, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Awadhesh Prasad Sinha

For the Opposite Party/s : Ms. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 21.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 372 of 2017, registered under Sections 379 and 420 of the Indian Penal Code, pending in the court of the learned A.C.J.M-IX, Gaya.

The accusation is that informant Ravi Ranjan Kumar went at H.D.F.C. A.T.M situated near the Post office, Belaganj for withdrawing the money using his ATM card of S.B.I, but his



ATM was exchanged there and from his account Rs. 2,27,268/- has been withdrawn. When he went at his Bank then he came to know that from his account the said money was transferred to other account from different place.

Learned counsel appearing on behalf of petitioner submits that the petitioner is not named in the F.I.R. only it has come in course of investigation that from the account of informant money was transferred in the account of petitioner. Further submission is that, in fact, the A.T.M of petitioner was also lost and he had no knowledge about transfer of money from the account of informant to his account.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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