

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14708 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

PRIYESH KUMAR NIRAJ @ SANJAY S/o Raghbir Prasad Resident of
Village- Sonhani, P.S.- Bhagwanpur Hat, Dist- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-09-2022 Heard the parties.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 379, 420, 34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused applied for A.T.M. card belonging the informant's account illegally and without her knowledge and also withdrawn Rs.1 lakh 45 thousand in duration of 15.06.2021 to 07.07.2021. It is further alleged that when she threatened the petitioner of lodging a case, the petitioner agreed to settle the case by paying 50 per cent of disputed money.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to suspicion. No



such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has not applied nor received any A.T.M. card of the informant. It is further submitted that the said A.T.M. card was not delivered in Siwan district as per records, it got delivered at Sirisha S.O. which is in West Bengal. It is also submitted that whenever any new A.T.M. card is registered after delivery, it requires a one-time password which is sent to the account holder by the banks, and the petitioner has no access to the informant's phone. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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