

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31828 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- MADHUBAN District- East Champaran

RATNESH TIWARI Son of Late Bhavnath Tiwari Resident of Village-
Kushiharpur, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Madhuban P.S. Case
no. 29/2022 registered for the offences punishable under
sections 379 and 420 of the Indian Penal Code.

As, per the allegation, petitioner snatched informant's
ATM Card when he was withdrawing money from ATM
machine and thereafter informant tried to chase the petitioner
who was apprehended by the local people and on search four
other ATM Cards were recovered from his possession and a
Mobile Phone was also seized from the possession of the
petitioner.



The main submissions advanced by the learned counsel Mr. Abhishek Kumar appearing for the petitioner are that as per FIR the alleged recovered materials were produced by the private person and the said seizure list does not contain signature of the petitioner which casts serious doubt in the alleged recovery and the petitioner has been languishing in jail since 20.01.2022.

Sri Manoj Kumar, learned APP appearing for the State has opposed the prayer for bail.

Heard, both the sides and perused the FIR. As per allegation, petitioner was caught red handed by the public when he made an attempt to flee after snatching ATM Card and from the possession of the petitioner four other ATM cards were also recovered which suggest that he has remained involved habitually in snatching ATM Cards and against him there are criminal antecedents of four cases.

Considering these facts as well as the nature of the allegation appearing against the petitioner in the opinion of this Court the petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.

Petitioner may renew his prayer for bail before the court below after framing of the charge, if he avails the said



liberty, the learned court below will decide the regular bail
prayer on merit without being prejudiced by this order.

(Shailendra Singh, J)

s.hassan/-

U		T	
---	--	---	--

