

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35914 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- BAKHARI District- Begusarai

TINKU PODDAR @ ATISH KUMAR S/O MUKESH PODDAR R/O-
VILLAGE- SAKARPURA, P.S.- BAKHRI, DIST.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bakhri P.S. Case No. 268 of 2021 for the offences under
Sections 406 and 420 of the Indian Penal Code.

The informant, a helpless lady, has alleged in the FIR
that her hard earned money, Rs. 12 lakhs was withdrawn
fraudulently by the accused persons and in view of the fact that
the her mobile was off, she never got the message of
withdrawal. She as such has alleged that she has become poorer
by Rs. 12 lakh for which appropriate steps may be taken.
Accordingly, the FIR was lodged against unknown.

Subsequently, during investigation, the name of the



petitioner as also accused Rakesh Kumar have come up and as per the observation made in the case diary as has been incorporated in the observation of the learned Single Judge, he has also accepted his guilt.

Learned counsel for the petitioner submits that the said acceptance before the police has no evidentiary value.

Learned APP on the other hand submits that taking into account the fact that he has number of criminal cases under his belt, his role in the present case as per the investigation, that has travelled, cannot be ignored and in view of the fact that there is huge withdrawal of Rs. 12,00,000/-of the helpless lady, the bail should not be granted to him.

Taking into account the fact that the lady has become poorer by Rs. 12,00000/-, due to the alleged act of amongst other the petitioner herein, who has criminal antecedent also of the same nature, this court is not inclined to grant any relief to him and the bail application is accordingly rejected.

(Rajiv Roy, J)

Jagdish/Neha-

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

