

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44028 of 2022**

Arising Out of PS. Case No.-51 Year-2022 Thana- DUMRA District- Sitamarhi

SUNIL SAH @ SUNIL KUMAR Son of Ramchandra Sah (Propwriter of CSP), Resident of Village - Premnagar Suhai, P.S.- Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 14-12-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that she had gone to C.S.P. to withdraw money from her account of Bank of India and withdrew Rs. 8,00/- after putting her L.T.I and petitioner handed over Rs. 8,00/-, but again took her thumb impression for checking the balance amount in her account, further when she went again after 3-4 days to withdraw money, she was informed that there was no balance in her account, when there was balance of Rs. 29,000/- and more when she had withdrawn Rs. 8,00/-, it is next alleged that on inquiry, it was disclosed that on



27/28/30.01.2022 an amount of Rs. 10,000/-, 10,000/- and 9,000/- was withdrawn respectively from her account, thus alleges that petitioner took her in good faith and siphoned off her money from her account.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case being owner of the C.S.P, it is next submitted that during the course of investigation also, it has come that the amount which was withdrawn from the account of the informant was not from the I.D. of the petitioner, it is next submitted that the entire allegation hinges around suspicion.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against the petitioner being owner of C.S.P that he took thumb impression of the informant for checking her balance and thereafter only the money was siphoned off from her account.

Learned counsel for the petitioner at this stage submits that he will not evade the law rather will cooperate in the investigation and will appear before the Investigating Officer of the case as and when required.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dumra P.S. Case No. 51 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not appearing when called by him, the learned Trial Court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds and to ensure that all coercive steps are taken to put him behind bars.

Further, in the event, if the Investigating Officer after the investigation files the charge sheet connecting the petitioner with the offence then, present anticipatory bail order shall lose its effect.

Learned Trial Court is directed to send a copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

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