

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58902 of 2021

Arising Out of PS. Case No.-441 Year-2021 Thana- ARARIA District- Araria

Rahul Kumar @ Rahul Kr. Son Of Vinod Yadav R/O Village- Manikpur, Ward No.-11, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Araria PS case no. 441 of 2021 instituted for the offences punishable under Sections 414, 406, 420, 379/34 of Indian Penal Code.

The police force is stated to be on look out for certain accused persons and in the course thereof, they had reached at the place of occurrence i.e. near the Canara Bank and had apprehended the petitioner and one other co-accused person. Upon search, as far as the petitioner is concerned, 12 A.T.M. cards are stated to have been recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 03.06.2021. The learned counsel for the petitioner has further submitted that as far as



the antecedent of the petitioner is concerned, the petitioner has been made accused in all the three cases only after being apprehended in the present case. It is also submitted that there is no allegation of withdrawal of any cash amount by using the said A.T.M. cards.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner is alleged to have withdrawn any illicit cash amount by using the A.T.M. cards in question nor the petitioner was having any criminal antecedent prior to lodging of the present case, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Araria in connection with Araria PS case no. 441 of 2021.

(Mohit Kumar Shah, J)

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