

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59507 of 2021

Arising Out of PS. Case No.-421 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

RAKESH @ RAKESH SINGH Son of Jile @ Jile Singh Resident of Village -
Puthi Saman (Near Sanal Chopal), P.S.- Bans, District - Hisar (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 421 of 2021 instituted for the offences under
Sections 420, 379, 467, 468, 401, 414 and 120(B)/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that on the information that the
petitioner is in ATM of ICICI at Bairiya Golambar, the informant
reached the ATM of ICICI and apprehended the petitioner and from
possession of the petitioner one ATM swipe machine along with
ATM cards of different banks in the name of different persons were



recovered and the petitioner disclosed that he along with named accused persons indulged in ATM swipe.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. It is also submitted that none of the ATM holder, whose ATM is alleged to have been recovered from the possession of the petitioner, has filed any case, as such, it appears that the police merely based on suspicion has arrested the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that these kinds of fraud are taking place in merely all the ATMs of different banks and hard earned money of persons is being syphoned off by accused like petitioner.

At this stage, learned counsel for the petitioner seeks permission to withdraw this application with liberty to the petitioner to renew his prayer for bail after framing of charge.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn in connection with the aforesaid case pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur.

(Satyavrat Verma, J)

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