

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61668 of 2021

Arising Out of PS. Case No.-421 Year-2021 Thana- ARARIA District- Araria

RAHUL KUMAR @ RAHUL KR. Son of Vinod Yadav Resident of 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

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 31-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the
offence under Sections 406, 420 / 34 of the Indian Penal Code.

F.I.R. was lodged against unknown for committing
cheat by illegal withdrawal of Rs. 82,000/- from the account of
informant by exchanging his A.T.M. card.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case. Name of the petitioner
transpired in the confessional statement of co-accused. There is
inordinate delay of 28 days in lodging the F.I.R. Petitioner is in
custody since 05.08.2021 and investigation is complete.

However, learned A.P.P. for the State opposed the bail
petition and submitted that name of the petitioner has come
during course of investigation and several A.T.M. Cards,
including the A.T.M. Card of informant, were recovered from



the house of petitioner. Apart from that, petitioner has got criminal antecedent also and he is accused in three more cases of similar nature.

Considering the aforesaid facts and circumstances as well as recovery of A.T.M. Cards and criminal antecedent of petitioner, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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