

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62352 of 2021**

Arising Out of PS. Case No.-318 Year-2021 Thana- SIWAN CITY District- Siwan

Shailesh Kumar @ Shailesh Son of Ashok Sah Resident of Village -
Sohagpur, P.S. - Hathua, District - Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Uday Kumar and HK Singh, Advocate
For the Opposite Party/s :	Anita Kumari Singh, Addl Public Prosecutor
for the informant	Mr. M. Rukhaiyar, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 17-10-2022 Heard learned counsel for the petitioner, the informant
and the State.

Petitioner apprehends arrest in registered for the
offences punishable under Sections 420/409/34 of the Indian
Penal Code.

Petitioner, who was entrusted to fill cash in the ATM
and had been provided with the password in this regard,
swallowed Rs.21 lacs with the aid of other accused persons.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Allegation is
not supported by any CCTV footage nor the informant is the eye
witness. It is stated in paragraph 3 of the bail petition that the
petitioner has got clean antecedent.



Learned counsel for the State and the informant oppose the prayer for bail submitting that the petitioner was entrusted to fill cash in the ATM and had been provided with the password in this regard. There is specific allegation that he along with other accused persons by using the password of the ATM misappropriated Rs.21 lacs.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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