

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75941 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- SACHIVALAYA District- Patna

Rakesh Kumar S/O RamashishVind R/O Village- Mali, P.S.- Karpi, District- Arwal, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indra Mohan Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

12 23-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case as per F.I.R is that after the death of the husband of the informant, Rs. 10-12 lakhs were transferred in the account of the informant as post retiral benefits but when the informant got her pass-book updated, she found that Rs. 10 lakhs has fraudulently been withdrawn from her account.

It is submitted by learned counsel for the petitioner that petitioner was not named in the F.I.R and his name transpired on the confessional statement of the co-accused.



From perusal of the case diary as well as supplementary case diary, it is apparent that the mobile and the account number of the petitioner have not been used for transferring the money of the informant. The thrust of accusation is against one Kanchana Sinha who withdrew the money and the same has been transferred in her account. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-II-cum-A.C.J.M, Patna in connection with Sachivalay P.S. Case No. 117 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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