

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19924 of 2023

Arising Out of PS. Case No.-3 Year-2018 Thana- LAHERIMUHALLA District- Nalanda

Santosh Kumar @ Santosh @ Kallu Kumar Son of Lalo Singh Resident of
Village - Bagodar, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-06-2023 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and learned APP for the State.

The Petitioner is apprehending his arrest in connection with Laheri P.S. Case No.03 of 2018 registered for the offences punishable under Sections 420, 379, 34 of the Indian Penal Code.

It is alleged that while the informant was withdrawing his money from ATM, he found that three persons were sitting there. Out of the three persons, one person took the ATM card of the informant and exchanged the same with another ATM card and when the informant demanded his own ATM card they started fleeing away. Out of three persons, one of them was caught hold by public, who disclosed the name of this petitioner and one another.



Learned counsel appearing on behalf of the petitioner submits that save and except the disclosure made by the apprehended person there is no material suggesting the complicity of the petitioner, apart from the fact that the petitioner has never been found indulge in any such type of activity. He further submits that even if the allegation leveled in the FIR taken to be true no case, much less, under Sections 420, 379, 34 of the Indian Penal Code is made out against the petitioner. He next submits that though the FIR is of the year 2018 but till date investigation is going on and charge-sheet has not been submitted and when the petitioner came to know about this case he approached before the Court for grant of anticipatory bail.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No.03 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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