

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29881 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MIRGANJ District- Purnia

RAJ KUMAR @ RAJA KUMAR S/O SATISH KUMAR SAH Resident of
Village- Barahkona, Ward No.- 4, P.S.- Mirganj, District- Purnea.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code pending in the learned court below.

3. The petitioner being CSP owner has withdrawn Rs.38235/- from the account of informant bearing account no.37552204140 IFSC-SBIN0015732 by taking Aadhar Card No. and thumb impression from CSP of the petitioner and believed on him but the informant has cheated her and refused the return the withdrawn amount.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the withdrawal of money from CSP requires bio-metric authentication of the account holder and the



informant has given her thumb impression in order to withdraw the money. He submits that every CSP has an ID code issued by concerned bank and when the money is withdrawn from the CSP, its code appears in the statement and the code reflecting in the statement of the informant does not bear the ID of the petitioner's CSP. He further submits that there is compromise between the parties. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail and submits that petitioner has committed forgery with the informant. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Mirganj P.S. Case No. 03/2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering the fact that there is compromise between the parties.

(Anjani Kumar Sharan, J)

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