

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29876 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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SANJEEV KUMAR SINGH@SANJEEV KUMAR SON OF RAJESHWAR
SINGH RESIDENT OF VILLAGE- BHAWANIGANJ , P.S-
MANJHAGARH , DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 420, 379, 468, 471, 120(B)
and 34 of the Indian Penal Code.

The informant alleges that he along with his colleagues,
on coming to know with regard to withdrawal of money from
ICICI Bank ATM, reached the place of occurrence where the
petitioner was apprehended with Rs. 2,20,000/- along with ATM
card which he had withdrawn, it is next alleged that, on inquiry,
he disclosed that the ATM card has been given by his relative
for withdrawing the money, thereafter, it is alleged that when the
informant asked him to call his relative, the petitioner submitted



the ATM and the money to the informant and said that he will go and get his relative to the bank but, thereafter, the petitioner did not come back, it is next alleged that, thereafter, the informant along with his colleagues started looking for the petitioner when he was found near another ATM from where he was apprehended and he was taken to the police station.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is in custody since 04.03.2022.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that if the petitioner was found withdrawing the money from the ATM, then why he was allowed to go to call his relative, why the relative was not contacted by the informant, it is thus submitted that this amply demonstrates that the petitioner has been implicated for some ulterior reasons. It is next submitted that it absolutely does not stand to reason that had the petitioner been involved in the occurrence then definitely he would have fled and would not have been near an ATM from where he could have been apprehended easily.

Learned counsel for the petitioner further submits that



though it is alleged that Rs. 2,20,000/- was withdrawn from the ATM but then from perusal of the seizure list, as mentioned in Para 2 of the case diary, it would manifest that the same does not even remotely suggest that cash was also seized which further creates doubt with regard to the veracity of the allegation.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gopalganj Town P.S. Case No. 160 of 2022.

(Satyavrat Verma, J)

HarshPandey/-

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