

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37513 of 2023

Arising Out of PS. Case No.-125 Year-2021 Thana- MAHESI District- East Champaran

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RADHA MOHAN KUMAR SON OF SANTU SAHANI RESIDENT OF
VILLAGE KORAL, PS- PAKARIDAYAL, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-07-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Section 379 of the
Indian Penal Coderegistered in connection with Mehsi P.S.Case
No. 125 of 2021.

As per allegation, the petitioner, on the pretext of
assisting the brother of the informant in operating the ATM,
withdrew Rs. 18,000/- and Rs. 20,000/- respectively using the
ATM card of the informant.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case.
He is in custody since 19.03.2023. He has also submitted that
every ATM of the Bank is equipped with CCTV camera, but it
is very surprising that the police have not verified the real
picture of such allegation through CCTV footage for the reasons



best known to the prosecution.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above facts and circumstances as well as the period of incarceration, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran in connection with Mehshi P.S.Case No. 125 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial **till framing of charge**, and if he fails to appear on two consecutive dates without any reason or unavoidable circumstances, the court below shall be at liberty to cancel his bail bond.
2. If the petitioner is found involved in future in the similar type of offence, his bail bond shall be liable to be cancelled.

(Nawneet Kumar Pandey, J)

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