

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47140 of 2022

Arising Out of PS. Case No.-1102 Year-2019 Thana- NAGAR District- Vaishali

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Dhiraj Kumar Son Of Kumud Patel R/O Village- Chandpura, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 379/420 of the Indian Penal Code.

As per prosecution case, the informant alleged that he withdrawn Rs. 20,000/- from SBI account using ATM from Marai Road and he went home. When on dated 6.12.2019, he again went to withdraw money then he came to know that money has been withdrawn on different dates and he also registered online complaint on the website of SBI having several ticket numbers. Thereafter, this case has been lodged against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of



suspicion and his own confessional statement before the police. The said ATM which is alleged to be exchanged with the petitioner and withdrawn money have not been recovered from the conscious possession of this petitioner. There is no consistent material against the petitioner of withdrawing the said money by using the ATM of the informant. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 23.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 1102 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali.

(Sunil Kumar Panwar, J)

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