

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60255 of 2023

Arising Out of PS. Case No.-661 Year-2022 Thana- PIRBAHOR District- Patna

SONU KUMAR S/O ROHAN MAHTO R/O VILLAGE- HARNAUT
BELARI, PS. HARNAUT, DIST. NALANDA PRESENTLY R/O YOGIPUR
SATYANARAYAN PATH (NEAR TEL DIPPO SAMP HOUSE), PS.
PTRAKAR NAGAR, DIST. PATNA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar, Advocate Mr. Amrendra Kumar, Advocate Mr. Prakash Chandra, Advocate
For the Opposite Party/s :		Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Pirbahore P.S. Case No.661 of 2022 registered for the offence
under Sections 419 and 420 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 19.10.2022.

4. The allegation against the petitioner is to
made an attempt for withdrawal of the cash from his account,
where, it is alleged that Rs. 7,00,000/- was obtained out of
fraudulent activities.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner himself is victim of



circumstance and how amount of Rs. 7,00,000/- came to his account, he is not in position to explain. It is submitted that there is all probability that out of negligent banking transaction, said amount may got transferred in his account which was not in his knowledge and when he approached his banker to withdraw cash from his bank account without having knowledge of alleged transaction, he was apprehended thereof by banker and handed over to police. While concluding the argument, it is submitted that investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing for the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as petitioner apprehended by banker while in process of withdrawing cash from his own bank account coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 19.10.2022, let the petitioner, above named, is directed to be released on bail in connection with Pirbahore P.S. Case No.661 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, 1st Class, Patna/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C. with further conditions:

“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

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