

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70074 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- DEOKUND District- Aurangabad

SHARWAN KUMAR Son of Angad Bhagat R/V- Maksudpur, P.S-
Khizersarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 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, 414, 411/34 of the Indian Penal Code.

The prosecution story, in brief, is that at about 02:30 PM the informant was coming from ATM after withdrawing money then one person snatched his ATM card of ICICI Bank and started fleeing away. On *hulla* the accused person was apprehended and ATM card was recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of suspicion. Nothing incriminating material has been recovered



from conscious possession of the petitioner. There is no any wrongful gain received by the petitioner through the said ATM card. It is further submitted that there is no independent witness who came to support the prosecution story. Moreover, petitioner is languishing in judicial custody since 14.9.2022.

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 Deokund P.S. Case No. 34 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Divisional Judicial Magistrate-Daudnagar, Aurangabad.

(Sunil Kumar Panwar, J)

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