

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75068 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- GAIGHAT District- Muzaffarpur

NITESH KUMAR SINGH Son of Tej Narayan Singh Resident of - Pupri,
P.S.- Kudhani (Turki O.P.), Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 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 allegation in the FIR, the informant alleged that he has an account in Punjab National Bank and from which, Rs. 11,85,000/- has been withdrawn fraudulently by unknown miscreants.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The FIR has been lodged against unknown but this petitioner has falsely been implicated in this case on the basis of suspicion. There is no any documentary proof against the petitioner in respect of receiving or cheating the said amount. The only allegation



against this petitioner is that he shared the account details of the informant to other accused persons. It is further submitted vide para 12 of the petition that as per Bank general rule, the online banking can be activated only by the home Branch or through online by customer himself. During course of investigation, no any consistent material has come against the petitioner to his involvement in the alleged offence. It is further submitted that the petitioner is languishing in judicial custody since 5.4.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaighat P.S. Case No. 159 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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