

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75198 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- PATEPUR District- Vaishali

MADAN KUMAR Son of Birendra Singh R/O Village - Maudah Dih, P.S.-
Patepur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Manish Chandra Gandhi
For the Opposite Party/s :	Mr.Zainul Abedin
	Mr.Mukesh Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 406, 379 and 504 of the Indian Penal Code.

It is a case of ‘cyber fraud’ and this petitioner is alleged to have exchanged the A.T.M. card of informant by committing fraud and thereafter, withdrew total Rs. 53,500/- from the account of informant.

It is submitted on behalf of petitioner that entire prosecution case is based on science and technology and till date, no CCTV footage has come to show complicity of the petitioner in the aforesaid crime. F.I.R. has been lodged only on suspicion and that too after a delay of 50 days without there being any plausible explanation of delay.



However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition and submitted that there is direct and specific allegation against this petitioner that he used A.T.M. card of informant and withdrew Rs. 53,500/- from the account of informant.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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