IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6074 of 2024
Arising Out of PS. Case No.-267 Year-2021 Thana- DIGHWARA District- Saran

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RAVI RANJAN KUMAR RAJAK SON OF SRI KISHUN RAJAK RESIDENT OF VILLAGE - JALPURA, P.S. - KOILWAR, DISTRICT – BHOJPUR

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Priya, Advocate
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-05-2024 Heard Ms. Priya, learned Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Dighwara P.S. Case No. 267 of 2021 for the offence registered under section 379 of the Indian Penal Code lodged on 25.08.2021 by the informant, Santosh Kumar Singh.

3. As per the prosecution story, the informant alleged that the petitioner having account in State Bank of India and ATM holder came out with a new technique in which after completing the entire procedure, the moment, the cash is ready to be delivered, the process is stalled and then by manual means, the same is taken out. In that process, firstly, the amount is debited from the account of the account holder and later in view of the fact that the transaction was not completed, it gets credited back in the same account. In this way, the petitioner took out Rs. 1,20,000/-. This was captured in the CCTV which was part of the F.I.R.

4. Learned Counsel for the petitioner, Ms. Priya submitted that the procedure that has been alleged in the F.I.R. is not possible. Further, to the knowledge of the petitioner, the CCTV footage is also not clear.

5. Learned APP for the State, on the other hand, submits that Rs. 1,20,000/- got debited and later credited in the account of the petitioner and if no such transaction took place, the details of the account should have been the part of the petition to show his innocence.

6. This Court is in line with the submission put forward by the learned APP. Even otherwise, a perusal of the F.I.R. would show that it was lodged in the year 2021 and after three years he has come for anticipatory bail. There is direct allegation against this sole petitioner of having committed fraud by illegally taking out Rs. 1,20,000/- and which according to the informant has already been captured in the CCTV and which is part of the F.I.R., certainly he is not entitled for grant of anticipatory bail.

7. Accordingly, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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