

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15340 of 2024

Arising Out of PS. Case No.-593 Year-2021 Thana- MAJHAULIA District- West Champaran

Amirul Haque @ Amirullah @ Md. Amirullah, aged about 20 years, Son of
Shekh Hamauddin @ Shekh Nathu, Resident of Village- Gadhwa, P.S.-
Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Majhauriya PS Case No. 593 of 2021 instituted for the offences
punishable under Sections 379, 420 of the Indian Penal Code
and Section 67 of the I.T. Act.

3. As per the prosecution case, the petitioner in
connivance with other accused persons is alleged to have been
indulged in hatching conspiracy to cheat the informant and
withdraw money from his account by ATM.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of



ulterior motive. He further submits that neither the petitioner has committed any cheating or fraud nor there is any chit of paper or any proof to show any transaction from petitioner's account. Petitioner has been made accused on the basis of confessional statement of co-accused Sajid. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 29.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-III, West Champaran at Bettiah dated 16.01.2024, it appears that petitioner is named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused Sajid. During course of investigation, no any documentary proof has come against the petitioner in respect of chearing or withdrawing money from the account of the informant. Similarly situated co-accused namely Md. Sajid @ Md. Sajid Alam @ Md. Shajid @ Sajid Alam has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 72296 of 2023 vide order dated 18.12.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah West Champaran in connection with Majhauriya PS Case No. 593 of 2021.

(Ramesh Chand Malviya, J)

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