

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43349 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- BELSAND District- Sitamarhi

Raju Kumar S/o Barelal Sah R/o vill - Belsand, ward no. 3, P.S. - Belsand,
Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

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

3. The prosecution case, in brief, is that the informant is a retired government servant and the pension and all his retiral benefits were deposited in the State Bank of India, Belsand branch. It is alleged that one day, this petitioner came to the house of the informant and demanded his passbook, Aadhar Card, mobile number, for taking proper steps with regard to procurement of ATM Card in the name of the informant and believing his version, the informant handed over the aforesaid documents to him. It is further alleged that during the period



from 16-06-2021 to 23-02-2022, the petitioner fraudulently withdrew total sum of Rs. 8,15,000/- (Rupees eight lacs fifteen thousand) from the account of informant.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He has never withdrawn any money from the account of informant. There is delay of 1 year and 3 months in lodging the F.I.R. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific accusation that he fraudulently withdrew Rs. 8,15,000/- from the account of informant. During course of investigation, it has come that there have been several transactions in the account of informant for the relevant period and therefore, withdrawal of money from the informant's account cannot be ruled out.

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

(Prabhat Kumar Singh, J)

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