

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53393 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- TILAUTHU District- Rohtas

Ravinandan Kumar son of Sudhir Singh Village- Dhangawan PS-Fatehpur
Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-09-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Tilauthu P.S. Case No. 88 of 2024, registered for the offences punishable under Sections 420, 467, 468, 406, 379/34 of the Indian Penal Code.

3. Allegedly the petitioner is found involve in extracting cash money fraudulently from the ATM machine by using tin foil at the exit point of the ATM.

4. Learned Advocate for the petitioner contended that from the narrations made in the FIR it is evident that when the informant came to withdraw the money, the petitioner along with one another accused person were present at the ATM but due to some technical fault, the money of the informant was stuck in the ATM and he suspected that they are cyber criminals. On suspicion, the people gathered there and in the meantime the



petitioner has been apprehended by the police, however, another accused person has succeeded in fleeing away at the place of occurrence. It is further contended that in fact the petitioner is also one of the customer whose money could not be withdrawn because of some technical fault in the ATM. It is lastly contended that even if the allegation is taken to be true it can hardly be a case of attempt to commit fraud and now the petitioner has been incarcerated since 12.04.2024. The investigation of the crime is complete and the charge sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the CCTV footage speaks about the involvement of the petitioner in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the material available on record revealing the fact that no fraudulent withdrawal has been made, coupled with the completion of the investigation and the submission of the charge sheet, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class,



Dehri-on-Sone, Rohtas in connection with Tilauthu P.S. Case No. 88 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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