

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57923 of 2023**

Arising Out of PS. Case No.-10 Year-2023 Thana- KARPI District- Jehanabad

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Rakesh Kumar, aged about 34 years, Male, S/O Suresh Bind, R/O Village-  
Karpi, P.S. Karpi, Dist. Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      29-01-2024                      Learned counsel for the petitioner is permitted to  
  
remove the defect(s), as pointed out by the office, if any, within  
  
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in  
  
connection with Karpi P.S. Case No. 10 of 2023 dated  
  
09.01.2023 registered for the offences punishable under  
  
Sections 379, 420 of the I.P.C. and Sections 66(c) (d) of the I.T.  
  
Act.

4. According to the prosecution case, on 09.09.2022,



the informant withdrew an amount of Rs. 20,000/- from her Dakshin Bihar Gramin Bank (DBGB) A/C No. 71080700160219, Karpi Branch. On the same day, she got her account balance checked by the petitioner (who is an operator of C.S.P) and it was Rs. 65,423/-. When on 07.01.2023, the informant went to the DBGB to withdraw money, the bank staff informed her that only Rs. 51/- remained in her account. After scrutinizing her bank statement, she discovered that a total of Rs. 65,715/- was withdrawn from her bank account from 03.10.2022 to 15.12.2022. Hence, the informant became suspicious that the petitioner withdrew the alleged amount from her aforementioned DBGB account.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that only on the basis of suspicion, the petitioner has been made accused in the present case. It is further submitted that the petitioner operates the CSP Centre on the basis of an ID bearing No. K010301317 granted to the petitioner by the competent authority (DDOT). It is further submitted that from perusal of the F.I.R., it is evident that the informant never withdrew any amount from the CSP of the petitioner rather it is alleged in the F.I.R., that the informant



only account balance checked from CSP Centre of the petitioner. It is submitted that no transaction was made from the CSP Centre of the petitioner rather, the same was made from Dakshin Bihar Gramin Bank, Karpi Branch. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Arwal, in connection with Karpi P.S. Case No. 10 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are



liable to be cancelled.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

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