

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83573 of 2024

Arising Out of PS. Case No.-116 Year-2022 Thana- SIMRI District- Darbhanga

Bijendra Sahani @ Vijendra Sahani Son of Pappulal Sahani @ Pappu Sahani
R/O Madhuban Kanti, P.O.- Jamin Mathia, P.S.- Minapur O.P. Panapur, Dist.-
Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhigyan Kumar
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Simri Police Station Case No. 116 of 2022, dated 25.06.2022, disclosing offences punishable under Section 420/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant went to an ATM machine to withdraw some amount and being unfamiliar with the process of withdrawing money, he took help of two unknown persons, who, though gave him Rs. 3,000/-, but during the transaction, exchanged the ATM card of the informant with another ATM Card and later on the



accused persons made eight withdrawals of Rs. 1,12,000/- from the ATM card of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the First Information Report and his name has transpired on the basis of the confessional statement of co-accused persons, namely, Manish Khan and Mithun Kumar, who has disclosed that the petitioner was also his accomplice.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that co-accused persons, namely, Manish Khan and Mithun Kumar, in their confessional statements, have disclosed the active involvement of the petitioner in the alleged offence.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Additional Sessions Judge-XI, Darbhanga, inasmuch as the case is under investigation, wherein the custodial interrogation of



the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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