

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.626 of 2024

Arising Out of PS. Case No.-314 Year-2023 Thana- SITAMARHI District- Sitamarhi

Deepak Kumar S/O SURESH SAHANI Village- Bara Bharti PS- Minapur
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma Mr. Mayank Raj, Advocate Mr. Ravi Ranjan Kumar, Advocate
For the Opposite Party/s :	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Sitamarhi P.S. Case no.
314 of 2023 registered under sections 420 and 379 of the Indian
Penal Code.

3. As per the prosecution case, the informant states
that while she was withdrawing money from the ATM machine,
a boy came there and said that there was some problem in her
card. Subsequently two to three others reached there and the
money could not be withdrawn by the informant. After leaving



the ATM, soon she got message that Rs. 31,023.60 had been debited from her account. As such the F.I.R.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. Though the F.I.R was registered against unknown, the petitioner was falsely implicated in course of investigation on the confessional statement of co-accused Rajesh Mahto made before police. Neither any incriminating article has been recovered from the petitioner's possession nor has he been put on T.I parade inspite of his being in custody for six months since 28.8.2023 and charge-sheet has been submitted in the case. The cause of the petitioner's false implication is his antecedents.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation, no incriminating article having been recovered from the petitioner's possession and charge-sheet having been submitted in the case without putting the petitioner on T.I parade inspite of his being in custody for six months since 28.8.2023, the petitioner is directed to be enlarged on bail in connection with Sitamarhi P.S.



Case no. 314 of 2023, on furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Sitamarhi.

(Partha Sarthy, J)

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