

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1563 of 2024

Arising Out of PS. Case No.-118 Year-2017 Thana- PIRBAHOR District- Patna

Feku Yadav SON OF MAINEJER YADAV Resident of ward No 7
Dainmarwa, P.O- Dainmarwa, P.S.- Ramnagar District-West Champaran,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti, Advocate.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 31-01-2024 Heard Mr. Vikas Ratan Bharti, learned counsel
appearing on behalf of the petitioner and Mr. Navin Kumar
Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Pirbahore P.S. Case No. 118 of 2017 registered for the
offence punishable under Sections 419 and 420 of the Indian
Penal Code and Section 66(c) of the IT Act.

3. As per the allegation made in the F.I.R., the
petitioner using his mobile number has committed fraud with
the informant by withdrawing a sum of Rs.50,000/- from the
account of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has



lost his mobile in Jammu and Kashmir, however, he has not informed the Tele communication company to block the number and in the meantime by using the SIM, alleged offence has been committed. Learned counsel submits that he has received instruction from his client that the petitioner is ready to make payment of Rs.10000/- to the informant subject to result of the investigation. He further submits that the informant has remedy before the Consumer Forum and the allegation as made in the F.I.R, at best, can be sustained against the concerned Bank who have shown their negligence in performing their duty.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the rival submissions made on the behalf of the parties as well as willingness of the petitioner to make payment of Rs.10,000/- to the informant considering the fact that the investigation is still going on, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 118 of 2017,



subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

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