

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1004 of 2024

Arising Out of PS. Case No.-596 Year-2022 Thana- KADAMKUAN District- Patna

RAHUL KUMAR Son of Chhote Pd. Gupta Resident of Village-Lehsuni
Karai, PS-Masaurhi, District-Patna (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Pd. Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kadamkuan P.S. Case no.596 of 2022, registered under sections 420 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on 16.10.2022, while she was using the ATM, the transaction did not go through because there was some defect in the digits 8 and 0. One unknown accused person reached there. It subsequently transpired that Rs.1,10,000/- had been debited from the account of the informant's mother.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The cause of implication in course of investigation according to the



prosecution is that allegedly a sum of Rs. 25,000/- was transferred from the informant's mother's account to the account of the petitioner. It is submitted that the petitioner works as a labourer and the said amount was transferred in his account for his work. The petitioner is in custody since 3.10.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that in course of investigation it was transpired that on the date of occurrence ie 16.10.2022, a sum of Rs. 25,000/- was transferred from the account of mother of the informant and was credited in the account of the petitioner. This allegation is also substantiated from the statement of the petitioner's account brought on record as Annexure-2 to the petition.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation against the petitioner including the part of the amount debited from the account of the informant's mother having been found to be credited in the petitioner's account, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his



prayer for bail after framing of charge.

(Partha Sarthy, J)

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