

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1371 of 2024

Arising Out of PS. Case No.-874 Year-2023 Thana- SHERGHATI District- Gaya

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DHARMENDRA KUMAR, S/O ARJUN SINGH, R/O VILLAGE- PAKARI,
P.S- FATEHPUR, DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sherghati P.S. Case no. 874 of 2023 registered under sections 420, 379, 411, 419 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was withdrawing money from the ATM, the accused persons took away his amount and made an attempt to escape. On *halla* being raised, some of the accused got down from the motorcycle and made an attempt to flee away on their foot but were caught. The petitioner was caught at the place of occurrence. The informant states that a total of Rs.50,000/- was debited from his account. On search 13 ATM cards were recovered from the possession of a co-accused.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession. He was implicated under a false impression though he was among the persons who were chasing the accused who were making an attempt to escape. The petitioner is in custody since 12.8.2023 and has no criminal antecedent.

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 against the petitioner in the FIR, he along with one another having been caught at the place of occurrence and 13 ATM cards having been recovered from the possession of the co-accused, 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 completing one year in custody.

(Partha Sarthy, J)

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