

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75429 of 2024

Arising Out of PS. Case No.-567 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Nitesh Kumar Singh Son of Tej Narayan Resident of Pupri urf Nuri Pur, P.S.-
Kudhani (Turki O.P.),Distt.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prof. Jyoti Narain Singh House of Prof. Awadhesh Kumar, Adarsh Nagar
Lane-3, majhauilya, near khabra, Muzaffarpur- 843113 (Bihar)
3. Branch Manager Punjab National Bank,M.P.Scince College, Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Harshvardhan
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 21-03-2025 Heard learned counsel for the petitioner abd learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Muzaffarpur Sadar P.S. Case No. 567 of 2021 dated 18.08.2021
registered for the offences punishable under Sections 379, 420
and 120B of the I.P.C.

3. As per the prosecution case, on 16.08.2021, the
informant had gone to Punjab National Bank for updating his
passbook. When his passbook was updated it was found that Rs.
45,00,000/- had been withdrawn from his account without
authorization. It is further alleged that no intimation was ever



sent to the informant regarding withdrawal of such huge amount.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of confessional statement of Md. Zafar Iqbal made before the police. It is further submitted that except suspicion there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the petitioner has not withdrawn any amount of any person and there is no any transaction of any money in the account of the petitioner. No incriminating article has been recovered from his possession. He has no concern with the alleged offence. The petitioner has seven criminal antecedents in which he is on bail in all cases as stated in paragraph no 3 of the bail petition. He is in custody in this case since 15.12.2023. The co-accused has been granted regular bail by this Court vide order dated 18.03.2025 passed in Cr. Misc. No. 45093 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 567 of 2021 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found involved in similar nature of offence in future, his bail bond is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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