

Sanjay Kumar Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Sanjay Kumar

Respondent : The State of Bihar

Judgement :

Patna High Court Cr.Misc. No.41407 of 2011 (3) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.41407 of 2011
===== Sanjay Kumar, son of Bindeshwari Prasad Yadav Petitioner/s Versus The State of Bihar Opposite Party/s
===== CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA ORAL ORDER (Per: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

24. 01-2012 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State. The petitioner, apprehends his arrest in connection with Rail Ara P.S. Case No. 78/2010 for the offences under Sections 406, 420, 120(B) of the Indian Penal Code, is one of the named accused in this case on the basis of transfer of some money in his account after undue withdrawal through ATM Card of the informant which was taken by some one in the garb of money transaction. Submission is that petitioner is also one of the sufferers and the moment came to know some money was transferred to his account and immediate withdrawal besides causing other loses. He intimated the authority and got his account non-

operational. On the basis of paragraph 13, 46 and 59 of the case diary, it is pointed out that it is the informant who is not cooperating during investigation for identification of the person who is said to have helped him during transaction. Investigation is still going on. Considering the facts and circumstances of the case, in the event of his arrest or surrender within a period of four weeks, till conclusion of investigation/submission of charge-sheet, let the above- named petitioner be enlarged on bail on furnishing bail bond of sum of Rs. Patna High Court Cr.Misc. No.41407 of 2011 (3) dt.24-01-2012 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Ara, Bhojpur, in connection with Rail Ara P.S. Case No. 78/2010, subject to condition under section 438(2) of the Code of Criminal Procedure, and additional condition to attend the court regularly till conclusion of investigation/submission of charge-sheet, in the event of failure on two consecutive dates, without any reasonable explanation, the privilege granted shall be deemed to be cancelled. Rajeev/- (Akhilesh Chandra, J.)

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