

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44147 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- BIKRAM District- Patna

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Akash Kumar @ Akash Raj Son of Subhash Rai Resident of Village -
Sherpur, P.S. - Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 24-02-2023 This case is listed for hearing out of turn on

account of mentioning that inadvertently case-diary has been

called for *vide* order dated 13.02.2023 although the same

has earlier been called and received *vide* order dated

16.12.2022.

Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Bikram

P. S. Case No. 343 of 2021, registered for the offences

punishable under Sections 379 and 420 of the Indian Penal

Code and Section 66(C) of the Information Technology Act,

2000.



As per allegation, petitioner along with his associate had illegally withdrawn an amount of Rs. 1,84,999/- from the account of the informant.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per investigation, only his phone number is alleged to have been involved but he is not involved in the whole transaction. He further submits that he is ready to pay half of the total illegally withdrawn amount.

He further submits that the petitioner has been languishing in jail since 30.03.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that he is the king-pin of the whole illegal withdrawal and after investigation he has been found to be involved in the alleged



offence of withdrawal of the money from the victim. The alleged offence is very serious in nature and such offence can destroy the whole banking system and such persons are threat to our economy and do not deserve bail.

Considering the serious nature of offence, having serious repercussion for Indian economy, I am not persuaded to enlarge the petitioner on bail.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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