

Court No. - 15

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S
438 CR.P.C. No. - 1770 of 2024

Applicant :- Ajay Kumar Jha And Another

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Govt. Civil Sectt.
Lko And Another

Counsel for Applicant :- Sanjay Srivastava,Dharam Prakash

Counsel for Opposite Party :- G.A.,Kuldeep,Shikhar Deep Singh,Vipin
Kumar

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the applicants, Sri Shikhar Deep Singh, learned counsel for the informant, learned AGA for the State and perused the record.

The instant anticipatory bail application has been filed on behalf of the applicants with the prayer to release them on anticipatory bail in Case Crime No. 324 of 2022, under sections 419, 420, 467, 468 of the IPC, Police Station-Utraula, District-Balrampur.

From perusal of the first information report as well as the record, it transpires that the applicant no. 1 namely, Ajay Kumar Jha, is the Manager and the applicant no. 2, namely, Rajat Kumar is the employee of the bank and both have committed cheat and fraud while fabricating the documents.

The instant matter pertains to the financial fraud and the financial frauds are the class apart.

This court is also aware of the law laid down by the Hon'ble Apex Court in the case of **P.Chidambaram Vs. Directorate of Enforcement**, reported in **(2019)9 Supreme Court Cases, 24**, wherein it has been held that case of economic offences are of different class as they affect the economic fabric of the society and therefore, the power under section 438 of the Cr.P.C., be exercised sparingly and in such matters, the bail applications must be granted in exceptional cases, after application of mind in relation to nature and

gravity of accusation, possibility of applicant fleeing justice and other factors.

Learned counsel for the applicants has failed to satisfactorily substantiate that the applicants would not tamper the evidences and would not threaten the witnesses. Application of arrest has also been denied.

Thus, this court does not find any good ground to intervene in this matter. The anticipatory bail application of the applicants, **Ajay Kumar Jha & Rajat Kumar**, is hereby **rejected**.

Order Date :- 19.12.2024

AKS