

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31770 of 2015

Arising Out of PS.Case No. -172 Year- 2014 Thana -KHAGAUL District- PATNA

1. Babloo Kumar Khuswaha @ Babloo Kumar Son of Ram Iqbal
Khuswaha resident of village - Nav Ratanpur, P.S. Khagaul, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur,
Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. K.B. Sharma

For the State : Mr. Prem Kumar Jha (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-11-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 384/406
and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the entire
allegations against the petitioner are false and preposterous as no
money was ever passed hands between the informant and this
petitioner. Learned counsel for the petitioner submits that the
amount of rupees fifteen lakhs is alleged to have been handed over
to this petitioner. The informant is a bank cashier has no means or
no reasons to transfer the same to this petitioner. He submits that

the petitioner has not at all any role to play and no amount of rupees fifteen lakhs has ever been paid to him.

Learned counsel appearing on behalf of the informant however submits that he had raised the fifteen lakhs from several persons in order to make payment to the petitioner, the fact of which substantiated by statement of several witnesses who have stated during the course of investigation. For the said purpose, learned counsel for the informant has referred to Paragraph No.75 to 78 of the case diary wherein different persons have stated that he had given certain amounts to the informant for making payment to the petitioner.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that the petitioner has in fact taken a lot of money from the informant for reasons best to him and the said fact stands substantiated by the CCTV coverage of the State Bank of India followed by that of Canara Bank on the same date. He further submits that subsequent thereto, the petitioner has made a purchase of Safari Vehicle after withdrawing the aforesaid amount.

Considering the nature of allegations made against the petitioner and the circumstances as detailed in the case diary and also the fact that petitioner role in the earlier purchase of land

was also under the cloud, I am not inclined to grant anticipatory
bail to this petitioner and the same is accordingly rejected.

(Anjana Mishra, J)

Saif/-

U		T	
---	--	---	--