

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21394 of 2016

Arising Out of PS.Case No. -489 Year- 2012 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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ASHANTU RAJ, Son of Late Manoj Kumar Sinha, resident of village-
Harihans Niwas, Siwan Dhala Laxmipur, P.S.- Town Siwan, District-
Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 406, 420, 467, 468, 469, 470 and 471 of the Indian Penal Code.

Allegation against the petitioner is that he has cheated the informant and others by way of forgery.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. There is no documentary evidence to substantiate the allegation made in the F.I.R. The petitioner has falsely been implicated in the present case. Whatever money had been received that is deposited with the Mahindra Finance Company which is evident from perusal of paras-5, 6 and 7 of the case diary.

On behalf of the State, it is submitted that four different persons had applied for loan before the Mahindra Finance Company. The margin money of the said persons was deposited in the account of different persons by the petitioner due to which the company had suffered a loss of approximately Rs.9, 00, 000/-. The

case was instituted in the year 2012 and the petitioner has preferred the present application in the year 2015.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner as he has preferred the present application at a belated stage, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., learned C.J.M., Bhagalpur, in connection with Kotwali (Adampur) P. S. Case no. 489 of 2012 within a period of six weeks from the date of receipt/production of a copy of this order and prays for regular bail, same shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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