

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50703 of 2016

Arising Out of PS.Case No. -193 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Dinesh Kumar Gupta son of Chandradeo Prasad Gupta, resident of No. 0
Professor Colony, Chiragora, dhanbad, P.S.- Dhanbad (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 467, 468, 471, 420, 120B of the Indian Penal Code, Section 66 (C) of the I.T. Act, Sections 18(A), 18(B), 18(C) , 27 (C) @8 (A), @&(B) (II), 33 EEC (B) and 33(I) of the Drugs and Cosmetics Act, 1940 and Section 3/4/5/7/9(A) of Magic Remedies Act.

Allegation against petitioner is that he was involved in illegal business and scam with other co-accused persons.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. There is no allegation of tampering of witnesses against petitioner. He has falsely been implicated in the present case. He is not named in the F.I.R. There is no substantive evidence to suggest his implication in the present case. The transfer of money from the account of co-accused, namely, Amardeep Sao, is said to be loan, which was given to the petitioner.

On behalf of the State, it is submitted that the present case relates to cheating of innocent persons in the name and style “Chehera Pehchano Inam Pao” and also for running a business

dealing illegal Ayurvedic medicines. Petitioner was also actively involved in the said scam which was up to the tune of Rs.52,00,000/-. There is transfer of money of Rs.2,53,000/- in the account of petitioner from the account of co-accused, namely, Amardeep Sao. The other co-accused, namely, Deepak Kumar has been granted regular bail

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., Judicial Magistrate, Ist Class, Nalanda at Biharsharif, in connection with Giriak (Katri Sarai) P. S. Case no. 193 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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