

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10362 of 2017

Arising Out of PS.Case No. -576 Year- 2016 Thana -SAHARSA District- SAHARSA

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Bhupendra Priyadarshi Son of Late Brajendra Prasad Sinha Resident of
Village - Vidyapati Nagar Ward No. 16, P.S. + District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar.
2. Anita Tekriwal W/o Sunil Tekriwal Resident of East Bazar, P.S. and
District - Saharsa.

.... Opposite Partys

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan Sinha

For the Opposite Partys : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-03-2017 Heard the parties.

The petitioner apprehends his arrest in Saharsa Sadar Police Station Case No.576 of 2016, registered for offences punishable under Sections 406, 420, 467, 468, 471 & 504 of the Indian Penal code.

The learned counsel for the petitioner submits that the prayer for anticipatory bail of the petitioner was earlier rejected, vide order dated 18.01.2017 passed in Criminal Misc. No.41431 of 2016 but the certain relevant facts could not be noticed. It is submitted that from perusal of Annexure-3, which is P.P.F. Account of the informant, it would appear that the P.P.F. Account of the informant was closed much earlier and the informant had already withdrawn the entire amount.

It is further submitted that the informant is in the habit of lodging case. The informant had also lodged a case against her



husband. But from perusal of the record, it appears that the petitioner took money from the informant, opened P.P.F. Account in the name of the informant and used to take money from the informant in order to deposit in the P.P.F. Account of the informant but the petitioner did not deposit the entire amount and even after maturation in the year, 2013 only Rs.3,39,000/-, through different cheques, were paid to the informant and her family members.

It is submitted that the petitioner did not misappropriated any amount, the informant and his family members received Rs.12,39,213/- and the petitioner was ready to deposit the entire amount lying due against the petitioner but after considering the fact that Rs.18,84,000/- was taken by the petitioner from the informant and her family members and the petitioner did not deposit the same in the P.P.F. Account of the informant and her family members. The maturation amount of which was Rs.40,00,000/-.

Considering the fact that the prayer for anticipatory bail of the petitioner was earlier rejected, I do not find any fresh ground to consider the prayer for anticipatory bail of the petitioner.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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