

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17253 of 2019

Arising Out of PS. Case No.-76 Year-2014 Thana- KHIRHAR District- Madhubani

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SUDHIR KUMAR JHA Son of Rajendra Jha @ Ramdeo Jha Resident of
Village - Madhopur, P.S.- Benipatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner. No one appears
for the State to oppose this application.

The petitioner in the present is seeking anticipatory bail in
connection with Khirhar P.S. Case No. 76 of 2014 registered for the
offences punishable under Sections 406, 420, 467, 468, 471,
120(B)/34 of the Indian Penal Code.

As per the allegations made in the FIR, the petitioner and
others made an illegal gang for purpose of cheating the people in the
name of giving them appointments. It is alleged that the petitioner
along with the co-accused persons cheated the informant of Rs. 2
lakhs through bank transaction and Rs. 50,000/- in cash in the name
of giving appointment to his son in the Railway Department.

Learned counsel for the petitioner submits that the alleged
transaction had taken place in the year 2011 but the complaint has



been lodged only on 28.10.2014. It is submitted that the informant namely, Bechan Jha had taken a loan of Rs. 2 lakhs from this petitioner for construction of building but the same has not been returned. It is submitted that when the petitioner demanded the same, it has been denied by the informant, thereafter the present case has been lodged.

After hearing the learned counsel for the petitioner and on perusal of the records particularly the impugned order, it is noticed that the learned 3rd Additional Sessions Judge, Madhubani had in course of hearing of the anticipatory bail application called for the case diary in which it was found that in the account of this petitioner in different installments a sum of Rs. 2,75,000/- has been deposited. It has also come that after taking Rs. 1 lakh in cash, this petitioner had taken them to Kolkata and got them introduced to one Satish Kumar Singh who gave a forged appointment letter to the petitioner. It has transpired in course of investigation that the allegations against the accused persons have been found *prima-facie* correct.

In view of the materials collected in course of investigation showing particularly a sum of Rs. 2,75,000/- has gone in the account of this petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, accordingly, his such prayer stands rejected.

However, in case the petitioner surrenders and prays for regular bail within a period for weeks from today before the court



below, his prayer of regular bail shall be considered without being prejudiced by the present order of this Court.

(Rajeev Ranjan Prasad, J)

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