

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56664 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- RAJAOLI District- Nawada

CHANDAN PASWAAN @ CHANDAN KUMAR Son of Bindeshwari
Paswan @ Bino Paswan Resident of Village - Sherpur, P.O. Jainti Gram
Sherpur, P.S.- Bhagwanpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Rajauli P.S. Case No. 302 of 2018 registered under Sections 420 & 409 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Nawada.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case only on the basis of false and concocted allegation. Learned counsel submits that the account number in which the money has been deposited by forgery and further withdrawn belongs to one Birendra Yadav, this petitioner has no concern with this account holder and in course of investigation, confessional statement of



accused namely Prabhat Kumar Sinha has been recorded in connection with Begusarai P.S. Case No. 662/2018, in which he has named this petitioner as his associates alongwith others who were involved in the present case.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner by saying that by committing fraud and using electronic resources, amounts have been withdrawn from different account illegally. Learned A.P.P. submits that investigation is going on to unveil the huge racket behind the fraud and in connection therewith custodial interrogation of the petitioner would be required.

Considering the facts and circumstances of the case where it is alleged that by committing fraud and using the electronic resources amounts have been withdrawn from different accounts illegally and one of the co-accused namely Prabhat Kumar Sinha who was arrested in connection with Begusarai P.S. Case No. 662/2018 registered under Sections 419 and 420 I.P.C. has named this petitioner as accompish and it is the contention of learned A.P.P. that the investigation is going on to unveil the huge racket behind the fraud and in connection therewith custodial interrogation of the petitioner would be required, this court is not inclined to grant privilege of



anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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