

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3605 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Sheo Kumar Ojha son of Devenddraa Ojha resident of village Gopalpur, P.S.
Barun, District Aurangabad.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Javed Aslam

For the Respondent/s : Mr.Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-01-2019 Heard the parties.

The appellant is apprehending his arrest in connection with Aurangabad Town P.S.Case No.202 of 2018 registered for offences punishable under Sections 420, 406, 504, 323, 506 of the Indian Penal Code and Section 3 of SC/ST Act.

Allegation against the appellant is that he himself claiming to be Area Manager of the Bank, induced the informant and several persons to provide loan on 10 % commission under PMEGP programme and he collected Rs.20 lac and when the informant and others demanded same, he did not return the same and abused them by caste name and also threatened to sent them jail.

Submission of the learned counsel for the appellant is



that no case is made out under Section 406 and 409 of the IPC and the allegation of taking caste name is maintainable in nature.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that by showing forged I-Card he has collected money from the informant and others for providing loan to them and there is allegation of abusing them by taking caste name.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail rather let the appellant surrender before the learned special judge within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned Special Judge without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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