

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18800 of 2020**

Arising Out of PS. Case No.-146 Year-2017 Thana- SIMRI District- Darbhanga

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WASIM AHMAD @ MD. WASIM AHMAD S/O- Late Shamshuzzoha R/O-  
Village - Parasuni, P.S. - Benipatti, District - Madhubani, at Present Mohalla -  
Bajitpur Bhardauli, P.S. Nagar, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Ranjan

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3      09-10-2020                      Heard the learned counsel for the petitioner and  
  
the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Simri P. S. Case No. 146 of  
2017 dated 13.11.2017 instituted for the offences under  
Sections 467, 468, 471, 406, 419, 420 and 120(B) of  
the Indian Penal Code and Section 3 of Bihar Protection  
of Interest of Depositor Act, 2002.

The petitioner had earlier preferred an  
application for anticipatory bail before this Court *vide*  
Cr. Misc. No. 20912 of 2018 which was rejected by



Hon'ble Mr. Justice Vinod Kumar Sinha, as he then was,  
by order dated 11.05.2018.

It has been submitted on behalf of the petitioner that the grounds for rejecting the anticipatory bail are not correct in as much as the petitioner was collecting money and distributing the same after obtaining registration with the Reserve Bank. As such the petitioner would not be liable for being prosecuted under the Reserve Bank Act and Section 3 of the Bihar Protection of Interest of Depositors Act, 2002.

It has also been submitted that one of the other accused persons of this case has been granted anticipatory bail by order dated 31.05.2018 passed in Cr. Misc. No. 29399 of 2018.

However, regard being had to the fact the prayer for anticipatory bail was earlier rejected by a Bench of this Court, I am not inclined to interfere with the order or grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.



However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account all grounds which would be raised on behalf of the petitioner including that some of the accused persons have been granted anticipatory bail by different Benches of this Court.

With the aforesaid observation / direction, this petition stands disposed off.

**(Ashutosh Kumar, J)**

skm/-

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