

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61336 of 2019

Arising out of P.S. Case No.-303 Year-2017 Thana- MANJHI District- Saran

Ravindra Pandey, Male, Age-32 years, son of Prabhunath Pandey Resident of Singhi, P.S.- Manjhi, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar Tiwary, Advocate
For the Informant	:	Mr. Mukesh Kumar Singh, Advocate
	:	Mr. Ashish Rani, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

6 04-03-2020 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner apprehends arrest in connection with Manjhi P.S. Case No. 303 of 2017 dated 30.12.2017 instituted under Sections 406 and 420 of the Indian Penal Code.

3. The allegation against the petitioner is that he had fraudulently got Rs. 7,00,000/- (Seven Lakhs) transferred in his account from the account of the informant.

4. Learned counsel for the petitioner submitted that he is the disciple of the informant and because of his old age such money was transferred with the consent of the informant into his account and later on he used to withdraw the money and give it to the informant for being used for construction of temple. It



was submitted that earlier another disciple of the informant was given money by the informant, who had misused it by using it for his personal use and had bought a four wheeler. It was submitted that now the parties have compromised as the petitioner has returned the money and such compromise petition has also been filed before the Court below.

5. Learned counsel for the informant does not dispute that the parties have compromised the matter.

6. Learned APP, from the case diary, submitted that it is a fact and the Dy.SP has also confirmed that the money was transferred from the account of the informant to the account of the petitioner and as has been alleged, the same has been done fraudulently by the petitioner. However, it was submitted that if there is a compromise petition, the same has to be verified by the Court below before which the compromise petition has been filed and the petitioner may surrender and seek bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being



prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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