

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22890 of 2021

Arising Out of PS. Case No.-353 Year-2020 Thana- BAIRIYA District- West Champaran

RAJU BHAGAT S/o Late Parma Bhagat R/o village- Bintolia, P.S.- Srinagar
(Pujaha), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26588 of 2021

Arising Out of PS. Case No.-353 Year-2020 Thana- BAIRIYA District- West Champaran

PAPPU KUMAR Son of Vakil Sah Resident of Village - Malahi Tola, Police
Station- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 22890 of 2021)

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

For the Opposite Party/s : Mr. Uday Kumar Pratap, APP

(In CRIMINAL MISCELLANEOUS No. 26588 of 2021)

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 26-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.



The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379/420/406/34 of the IPC.

Prosecution case in short is that the informant, who is the coordinator of a Foundation got complain from some customers that their money has not been credited into their account and some also complained that their money has been illegally withdrawn from their account by the accused Raju Bhagat and Pappu Kumar. On 27.07.2020, the accused persons gave an undertaking that they will return the money to all the aggrieved persons within 15 days.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The F.I.R. does not disclose the names of any aggrieved account holder. During the period of illness of the petitioner the customer care in question was run by co-ordinator. Petitioner Raju Bhagat has one criminal antecedent and petitioner Pappu Kumar has no criminal antecedent.

Learned APP for the State opposed the prayer for



anticipatory bail by submitting that the petitioners are not ready to return the money.

Having regard to the facts and circumstances of the case, there is sufficient material in the case diary against the petitioners, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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