

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35487 of 2021

Arising Out of PS. Case No.-20 Year-2017 Thana- C.B.I CASE District- Patna

VIDYANAND DUTTA S/O LATE FEKAN DUTTA R/o Mohalla- Dutta
Bhawan Bela Vihar, P.O.- M.I.C. Bela, P.S.- Bela Industrial, District-
Muzaffarpur

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH THE S.P., C.B.I., A.C.B., PATNA,
BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.
For the Opposite Party/s : Mr.Bipin Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-02-2022 Heard learned counsel for the petitioner and learned
counsel for the C.B.I.

Learned counsel for the petitioner is directed to remove
the defects as pointed out by the office within a period of four
weeks. In the eventuality of non-removal of defects within the
stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in
connection with R.C. Case No.20(A)/2017 (Special Case
No.8/2019), registered for the offence punishable under Sections
120(B), 409, 420, 467, 468, 471 of the Indian Penal Code and
section 13(ii) read with 13(i)(c) and (d) of the P.C. Act.

The allegation against the petitioner is that he is involved



in defalcation of the public fund and that he being the chequor has verified two cheques bearing cheque no.565503 of Rs.12 Crores and cheque no.565510 of Rs.12 Crores, which money was transferred from the account of SLAO, Koshi Project, Saharsa to the account of SMVSSL.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. The petitioner is not named in the FIR. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Except the checking of the two cheques, no direct or indirect allegation has been levelled upon the petitioner. Petitioner was also present during the investigation and chargesheet has been submitted against him but he has not been apprehended by the C.B.I. Petitioner has two criminal antecedents.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail.

The prayer for anticipatory bail on behalf of the petitioner is hereby rejected and accordingly this application stands dismissed.

However, petitioner is directed to surrender before the learned Court below within a period of six weeks from today



and the Court below shall pass the order in accordance with law,
considering that the charge sheet has been submitted against the
petitioner and he has fully co-operated in the investigation.

(Anjani Kumar Sharan, J)

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