

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28717 of 2022**

Arising Out of PS. Case No.-303 Year-2018 Thana- BATHNAHA District- Sitamarhi

FOOL KUMAR PATEL @ PHUL KUMAR PATEL Son of Awadhesh Patel
@ Avdhesh Patel Resident of Village - Maurki Kumma, P.S. - Sursand,
District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 20-10-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehend his arrest in a case registered for
the offence punishable under sections 341, 323, 406, 420, 34,
120(B) of the Indian Penal Code.

Allegedly, the petitioner is the branch manager of Fino
Payment Bank which was opened, near Bathana North Bihar
Gramin Bank. The informant alleged that the petitioner asked
him and one Shivji Mahto as also others to give Rs.10,000/- for
the purpose of grant of loan of Rs.3,00,000/- and accordingly
they had given the Rs.10,000/- to the petitioner. The allegation



against the petitioner is that he took the amount after alluring them under forgery.

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. No such occurrence, in the manner as alleged, has ever taken place. The petitioner is not the manager of the said Fino Payment Bank. There is enmity going on in between the informant and the petitioner. There is no evidence in support of the allegation of the informant that he had given money on the pretext of providing loan but the loan was not sanctioned. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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