

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34190 of 2022

Arising Out of PS. Case No.-444 Year-2015 Thana- AHIYAPUR District- Muzaffarpur

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AJEET KUMAR SON OF LATE RAMEKBAL SAH R/O- VILL.- DAUD
CHHAPRA, P.S.- MINAPUR, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mrs. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner apprehends his arrest in connection with
Ahiyapur P.S. Case No.444 of 2015, registered for the offence
punishable under sections 406, 420, 468, 469, 471, 120B of the
Indian Penal Code.

Allegedly, the petitioner including other co-accused
persons induced the informant and other investors to deposit
money and get more dividends. The informant and other
depositors deposited money in the said Bima Company which
description is mentioned in the complaint application. Later all
accused persons closed the said Bima Company. Informant



called a panchayat in which one Krishna Kumar who being the branch manager of the said company promised to return the entire amount till 05.05.2015 to the informant but he failed to do so.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. She submits that the entire allegation is against co-accused who at the relevant time was the branch manager of the said Bima Company. There is no specific allegation of cheating and misappropriation of money against the petitioner. Petitioner has three criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the bail application of the petitioner was rejected on 17.05.2016 and the petitioner has filed the present bail application on 02.07.2022 i.e. after a delay of more than six years.

Having regard to the facts and circumstances of the case, as there is a delay in filing of anticipatory bail application, I am not inclined to enlarge the petitioner named above on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.



However, petitioner is directed to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering the fact that there is no specific overt act against the petitioner and similarly situated co-accused has been granted anticipatory bail by a co-ordinate bench of this Court.

(Anjani Kumar Sharan, J)

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