

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46154 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- BHORE District- Gopalganj

MUNNA GUPTA S/o Parmanand Sah, R/o Village - Kharauni, P.s. - Mirganj,  
District - Gopalganj. At present - R/o Bharpatiya, P.s.- Bhorey, District -  
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satyendra Rai  
For the Opposite Party/s : Mr.Ram Anurag Singh  
Mr. J. N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

5      30-08-2022              The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the office within one  
  
month.

Heard the learned counsel for the petitioner as well as  
  
Mr. J. N. Thakur. the learned Additional Public Prosecutor for  
  
the State and the learned counsel for the informant.

The petitioner apprehends his arrest in connection  
  
with Bhorey P.S. Case No. 59/2020 registered for offence  
  
punishable under sections 420, 406/34 of the Indian Penal Code.

The FIR has been lodged on the basis of complaint  
  
petition filed by Reena Devi. The complainant is an illiterate  
  
and rustic lady. The petitioner, who happens to be *Damad* (son-



in-law) of that village, contacted the complainant and assured her to facilitate the bank account in the scheme of Pradhanmantri Jan Dhan Yojna. The *gotni* of the informant also opened the bank account along with the informant, whereafter her ATM, SIM card, bank passbook were kept by the present petitioner and on different dates, he has withdrawn Rs.14,00,000/- from the bank account of the informant.

The learned counsel for the petitioner has submitted that as a matter of fact, the informant wanted a piece of land from the present petitioner, to which he was not ready and it was the reason for his false implication in the present case. He has also submitted that ATM card and bank passbook are not given on the same day by the bank.

On the other hand, the learned counsel for the informant has submitted that the independent witnesses in paragraph nos. 7 and 8 of the case diary, have supported the entire occurrence. The learned APP has submitted that in paragraph 75 of the case diary, dates have been given, on which dates, the petitioner has withdrawn the money from the account of the informant. The investigating authority found the case true against the present petitioner and the charge-sheet has been submitted against him.



Considering the above-mentioned facts and circumstances, in my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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