

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51385 of 2021

Arising Out of PS. Case No.-427 Year-2018 Thana- JAHANABAD District- Jehanabad

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Anil Kumar Son Of Late Nand Kumar Prasad Resident Of Chaturbhuj
Apartment Munna Chak Kankarbagh, P.S.- Patrakar Nagar, District - Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through the virtual

court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 409, 420 of
the Indian Penal Code.

Allegation against the petitioner is that he along with
other co-accused persons purchased inferior or low quality
diesel general sets, submersible motor pump sets and surge
tanks resultantly so many farmers could not take benefit of the
government scheme for which they were legally entitled.



It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that occurrence occurred during the period of 15.07.2004 to 30.12.2004 but FIR lodged on 25.05.2013 and there is no explanation regarding so many delay in the registration of FIR. He Submits that petitioner has retired on 31.01.2015 but in whole service there is no allegation in his service carrier. Petitioner is 60 years old person. He submits that petitioner has no role in purchasing of low quality of D.G. Sets. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that petitioner and other co-accused persons have purchased low quality of diesel general sets, submersible motor pump sets and surge tanks.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Jahanabad P.S. Case No. 427 of 2018.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned



court below on the same day.

(Anjani Kumar Sharan, J)

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