

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9934 of 2021

Arising Out of PS. Case No.-5 Year-2019 Thana- C.B.I CASE District- Patna

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AMIT RANJAN PRASAD S/o Sri Madan Kumar, Resident of House No. 289, West Lohanipur, Pachkauri Sao Lane, P.S.-Kadamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

THE CENTRAL BUREAU INVESTIGATION

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mira Kumari

For the Opposite Party/s : Mr. Bipin Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

6 21-01-2022 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State through video conferencing.

The petitioner apprehends his arrest in connection with R.C. Case No. 5(S)/2019 registered for offence punishable under sections 341, 342, 323, 504 of the Indian Penal Code and later on, the police submitted charge sheet under sections 120B, 420, 468 and 471 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that initially, the FIR was lodged as Digha P.S. Case No. 603 of 2018 under sections 341, 342, 323, 504 of the Indian Penal Code, but in the light of order of the Hon'ble Supreme Court, it was registered as R.C. Case on 16.01.2019 under sections 341, 342, 323, 504 of the Indian Penal Code. He has further submitted that the sections,



under which the case was registered, were not found true in the investigation by the C.B.I., but a new thing was emerged during investigation, i.e. misappropriation of Rs.2,91,330/-. He has also submitted that the petitioner is only an employee of Don Bosco Technical Society, which is N.G.O., and he has no authority to make payment or receive any payment in the name of that society.

It was emerged during investigation that Rs.2,91,330/- was dishonestly claimed or received by the Don Bosco Technical Society on providing wrong fact about placement of some beggars.

The learned Special P.P. for the C.B.I. has submitted that during investigation, incriminating material emerged against the present petitioner. It also appears that the petitioner is authorized person of the Don Bosco Technical Society to sign the bills and he is the person, who claimed the amount for placement of beneficiaries.

Under these circumstances, it is not a fit case for anticipatory bail and accordingly the prayer for anticipatory bail is rejected.

(Nawneet Kumar Pandey , J)

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