

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65568 of 2021**

Arising Out of PS. Case No.-514 Year-2020 Thana- SASARAM NAGAR District- Rohtas

MUKESH KUMAR SHARMA SON OF MUKHDEO SHARMA R/O
VILLAGE- SOKHYA, P.S- AURANGABAD, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Adv
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP
For the O.P. No.2	:	Mr. Amrendra Narayan Rai, Adv

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

4 10-11-2022 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 as well as learned Additional Public
Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 406, 420, 506/34 of the
Indian Penal Code.

Allegedly, the informant transferred Rs.3,00,000/- to the
account of co-accused Ajit Kumar and gave Rs.2,00,000/- in the
hands of petitioner Mukesh for purchasing a land. The petitioner
did not gave any type of account about the money of the
informant. It is further alleged that on instance for money,
petitioner Mukesh denied to return the money and also
threatened to kill him.



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 allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The petitioner is not the recipient of money. Money was transferred in the account of Shree Keshav Infrastructures Pvt. Ltd. with which the petitioner has no concern. He submits that all the transactions are business transactions. He further submits that no receipt has been shown by the informant/O.P. No.2 to show that he has given Rs.2,00,000/- to the petitioner. Petitioner has no criminal antecedent, as also mentioned in paragraph-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, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in Sasaram
(T) P.S. Case No.514 of 2020, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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