

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69133 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- CHANPATIA District- West Champaran

BRIJKISHOR RAM @ BRIJKISHOR KUMAR @ BRIJKISHOR KUMAR
RAM S/o Pravesh Ram R/o village- Sihpur, P.S.- Sathi, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 465, 467, 469 and 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and the informant alleges that he was directed to conduct a raid in connection with Chanpatia P.S. Case No. 106 of 2021 and Chanpatia P.S. Case No.107 of 2021 by the SHO, Chanpatia Police Station, accordingly he proceeded and when he reached the house of one Rajendra Patel and started searching the place, he recovered certain articles like PAN Card, ATM Card, Aadhar Card as



detailed in the F.I.R. along with mobile phone and two sim cards from the pocket of said Rajendra Patel. It is next alleged that after interrogation, Rajendra Patel disclosed that he keeps such articles to withdraw money and to do online shopping from others account illegally and one Nasim Ansari proprietor of Nasim Communication helps him. It is further alleged that he disclosed that he threatens people with the help of his associates, namely, Aman Ansari and accordingly, the police reached the house of Aman Ansari where articles as detailed in the F.I.R. were recovered from him but he was not able to answer satisfactorily that as to how he was in possession of the ATM cards, Aadhar cards etc., it is next alleged that Rajendra Patel also disclosed the name of this petitioner that he is also his associate.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that accused Rajendra Patel had disclosed the name of the petitioner as his associate without alleging any overt act against him. Learned counsel further submits that the petitioner was a student in SJB Institute of Technology, Bangaluru affiliated with Visvesvaraya



Technological University, Belagavi for the course of BE, Civil Engineering Branch in the year 2017 and the course was of four years as would be evident from Annexure - 2 series to the supplementary affidavit. It is the further submission of the learned counsel that petitioner during the time of Covid, came to his native place and thereafter started working as Data Entry Operator in Crime and Criminal Tracking Network and Systems Project of Bettiah Police and while he was working with the Bettiah Police he came to be implicated in two more cases as stated at paragraph '3' of the anticipatory bail application. Learned counsel further submits that since petitioner was working with the police and that too in the Tracking Network System as such the criminals were of the opinion that it was the petitioner who was disclosing their act to the police based on which they were being implicated in the cases, it is next submitted that based on confessional statement of accused, he came to be implicated in the aforesaid two cases and in the present case also Rajendra Patel implicated him falsely without alleging any overt act. Learned counsel next submits that since petitioner was a student of Engineering and as such he was working efficiently with the Bettiah Police and thus was giving information also and tracking such criminal offences.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanpatia P.S. Case No. 108 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

If the police files an application in the learned Trial Court stating that the petitioner after his release is not cooperating in the investigation, then the learned Trial Court after considering the application and hearing the petitioner, will be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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