

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6752 of 2023

Arising Out of PS. Case No.-380 Year-2017 Thana- BARBIGHA District- Sheikhpura

Sumit Barik Son Of Ram Barik Resident Of 25a, Raja Raj Ballabh Street,
P.S.- Shyampukar, District - Kolkata (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Manju Sharma

For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Barbigha P.S.
Case No. 380 of 2017 registered for the offences punishable
under Section 420, 406 and 120(B) of the Indian Penal Code
pending in the Court of learned Chief Judicial Magistrate,
Sheikhpura.

As per the prosecution case, allegation against the
petitioner is that he along with other co-accused persons took
Rs. 3,69,000/-, by committing fraud, from the informant on the
pretext of providing job in an ordinance factory.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has no connection/concern with the alleged occurrence. As a matter of fact he has just been dragged into the case upon suspicion, surmises and conjectures. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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