

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6572 of 2023

Arising Out of PS. Case No.-515 Year-2022 Thana- AMARPUR District- Banka

Sanjeev Kumar Jha @ Sanjiv Kumar Jha S/O Kailash Jha Resident of Village
and P.O.- Shyampur Sanjha, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Amarpur P.S. Case No.515 of 2022, registered for the
offences punishable under Sections 363, 365, 406, 420 and 34 of
the Indian Penal Code.

The allegation against the petitioner, as per the FIR, is
that the petitioner, in collusion with one Raju Mandal and
Bambam Mandal, took Rs.30,60,000/- from the son of the
informant, namely, Nilesh Kumar @ Fantush and 11 others to
secure their employment in Home Guard but he failed to secure
their employment. It is further alleged that on 15.09.2022, the
petitioner called informant's son, Nilesh Kumar on pretext to
return his money and kidnapped him.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that no specific overt act is alleged against the petitioner.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the victim is still traceless.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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