

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14322 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- BATHNAHA District- Sitamarhi

JAI KISHORE SINGH @ AVINASH KUMAR Son of Late Rampadarth
Singh R/v- Kamaldah, Ward No. 10, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with Bathnaha P.S. Case No.318 of 2022, registered for the offence punishable under Sections 467, 468, 471, 406, 420, 34 of the Indian Penal Code.

Allegedly, the petitioner took a loan of Rs.6,00,000/- from the informant on the pretext of marriage of his daughter with condition that he will return the said amount within six months, but he did not returned the same to the informant. It is alleged that the petitioner has earlier cheated several persons on the pretext that he will appoint them in Health Department where he is doing job.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have 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. He further submits that the informant has a criminal group and he is involved in cheating in his occupation on the pretext of providing appointment in the Health Department, who himself had cheated several persons and two complaint cases bearing nos. C-1/793/2022 and C-1/1039/2022 has been filed against him. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is ample of evidence against the petitioner in the case diary.

Having regard to the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is, accordingly, dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek



for regular bail, the learned Court below shall pass the order on the same day, in accordance with law considering that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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