

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18489 of 2023**

Arising Out of PS. Case No.-1250 Year-2019 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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BHAVNATH JHA @ BHAWANATH JHA Son of Buchai Jha R/V-
Sankorthu, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Udyotkar Jha Son of Late Mahakanth Jha R/V- Nadiyami, P.S.- Sakatpur,
District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 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 467, 468, 471, 419, 420, 120(B) of the Indian Penal Code and Section 138 of NI Act but learned Judicial Magistrate-Ist Class took cognizance u/s 406 and 420 of IPC against the petitioner.

Allegedly, petitioner, along with other accused persons, is said to have committed cheating with the informant for Rs. 20,75,000/-. When the complainant came to know about the real fact and asked them for his money, they assured him to return his money amounting to Rs. 20,75,000/- otherwise he would give another 5 katha land in Dhobi Ghat by executing an



agreement, but the accused persons neither registered any land nor returned money except Rs. 3,45,000/- It is further alleged that the cheque issued by this petitioner has been dishonored by the bank.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are neighbours. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has three criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that a huge amount of money has been misappropriated by the accused persons including the petitioner.

Having regard to the facts and circumstances of the case, as petitioner is not ready to return the said amount to the informant, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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