

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14175 of 2023**

Arising Out of PS. Case No.-616 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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AJIT KUMAR SHARMA @ AJIT KUMAR GOND@ AJIT KUMAR Son of
Gopal Sharma R/V- Ughanidih, P.S- Mohania, Dist- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shekh Immamuddin Son of Shekh Alamgir R/V- Patelwan, P.O- Kathej, P.S- Mohania, Dist- Kaimur (Bhabhua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Parwej Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner, learned
Counsel for the informant and learned APP for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 616 of 2022 for the offence registered under sections 406, 420 and 34 of the Indian Penal Code lodged on 08.06.2022 by the complainant, Shekh Immamuddin.

The prosecution story, in brief, runs as follows:-

(i) one Shekh Immamuddin filed Complaint Case No.616/2022 in the Court of C.J.M., Kaimur at Bhabua alleging therein that from 10.3.2017 to 22.5.2017 at 12 A.M., all the accused persons with a common intention came to the tyre shop of the complainant situated at Mohania and accused Ajit Kumar



stated that he is an Officer of H.C.L. Company, Chennai and thereafter Accused Nos.2 and 3 Gopal Sharma and Raju Sharma told that they also had come from H.C.L. Company at Chennai and advised that they would give him an employment;

(ii) the complaint further alleged that he believed in accused person as they convinced that H.C.L. Company needs installation of tower and it also offered Job and demanded Rs. 15 Lacs;

(iii) the complainant further alleged that accused persons duped the complainant in the name of installation of tower and induced the complainant to pay a sum of Rs. 15 Lacs;

(iv) the complainant further alleged that he paid Rs. 15 Lacs on different dates through cash and Cheque and deposited in the account of Accused No.1;

(v) the complainant further alleged that accused persons neither installed the tower nor gave Job to the complainant and they also did not return Rs.15 Lacs and refused to execute sale deed as such the accused persons hatched a conspiracy and grabbed Rs. 15 Lacs;

vi) on the basis of the Complaint petition and S.A. of the complainant and deposition of enquiry witnesses Learned C.J.M., Kaimur at Bhabua was pleased to took cognizance in



the case.

It is ironical that in a case where there is direct allegation against the petitioner in the FIR being lodged in 2017, finally six years later, the present petition has been filed.

In that view of the matter, no relief can be granted to the petitioner. Accordingly, the anticipatory bail petition stands rejected.

(Rajiv Roy, J)

Jagdish/Neha/-

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