

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39243 of 2023**

Arising Out of PS. Case No.-64 Year-2023 Thana- ADAPUR District- East
Champanan

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DILIP KUMAR @ DILIP KUMAR SAH SON OF RAJ KUMAR SAH RESIDENT
OF VILLAGE- BHAWANIPUR, PS- ADAPUR NAKARDEI DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ANGAD KUMAR SON OF LATE BALI RAM SAH RESIDENT OF VILLAGE-
BHAWANIPUR, PS- ADAPUR NAKARDEI, DISTRICT- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii
For the Opposite Party/s : Mr.Bharat Bhushan App, 156

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 09-10-2023 Heard Mr. Sunil Kumar No.III, learned counsel for the

petitioner and learned counsel for the informant as well as Mr.

Bharat Bhushan, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Adapur (Nakardei) P.S. Case No. 64 of 2023/ G.R. No. 165 of
2023 registered for the offence under Sections 420, 406, 120(B),
323 and 504 of the Indian Penal Code and Section 66(d) I.T. Act.

The case relates to misappropriation of money of the
informant/complainant by the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the allegation, as alleged in the



F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that the petitioner has not received any amount from the informant. He further submits that on bare perusal of the F.I.R., it appears that the informant has handed over Rs. 1,53,000/- on different dates in three or four equal installment to send the money to the desired account but the petitioner has not sent the amount to the desired account and misappropriated his money.

Learned counsel for the informant as well as learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that petitioner has also been made accused in another case of similar nature which suggest that the petitioner is indulged in misappropriation of public money.

Considering the facts and circumstances of the case, this Court does not find it a fit case for grant of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Rajesh Kumar Verma, J)

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