

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40242 of 2022

Arising Out of PS. Case No.-317 Year-2021 Thana- TAJPUR District- Samastipur

RAJU KUMAR CHOUDHARY Son of Ganga Prasad Choudhary Resident of village - Makanpur, P.S.- Bangara, District - Samastipur. At Present - Resident of village - Madhopur Digharua, P.S.- Bangara, Distt.- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Shahnabaj Jafar Son of Late Md. Jafrul Alalm Jafar Resident of village - Kachisarai, Chakbasu Lane, Ward No.- 38, P.S.- Mithanpura, District - Muzaffarpur. At Present - Resident of village - Harishankerpur Baghauni, Ward No.- 2, P.S.- Tajpur, District.- Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 403, 406, 408, 420, 467, 468, 471 and 120B of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner was vendor of the informant but he was able to operate through mobile so the informant and manager told him to help in depositing the amount through apps for which they promised to pay Rs.500 per working day in addition to his regular payment and on the assurance, petitioner started his new job but it was manager



Dildar Husain who regularly taken Rs. 10,000/- to Rs. 15,000/- from the petitioner for miscellaneous work with false assurance to maintain ledger but it was not done. He submits that there is nothing recovered from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the petitioner was appointed on contract to deal with third party app based payment and petitioner along with co-accused used to work of online payment of 'Sameer LPG Gas Agency' Tajpur and after audit informant came to know that petitioner with conspiracy to other co-accused persons fraudulently have defalcated Rs.16,84,390/- of gas agency by mentioning fake I/D. Hence, he does not deserve anticipatory bail.

Considering the arguments of the parties and nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Tajpur P.S. Case No. 317 of 2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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