

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48941 of 2023**

Arising Out of PS. Case No.-35 Year-2023 Thana- MADHEPURA District- Madhepura

Rupesh Raj Son Of Late Haldhar Prasad Yadav Resident Of Madhepura Ward
No.03, P.S. - Madhepura, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 03-10-2023 Heard Mr. Dinesh Prasad Verma, learned counsel for
the petitioner as well as Mr. Chandra Bhushan Prasad, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Madhepura P.S. Case No.35 of 2023, F.I.R.
dated 11.01.2023 registered for the offence punishable under
Sections 379, 420 of the Indian Penal Code.

3. The allegation against the petitioner is to commit
cheat with the informant by giving forged email address and
defraud Rs.10,24,500/-. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent. He has falsely been implicated in the present 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 as alleged in the F.I.R. Further submits that as per FIR petitioner has instigated the informant for opening a showroom in his house, that is wrong statement, petitioner has not stated anything about the showroom in question and the amount in question has not deposited in the bank account of the petitioner, the same is deposited in the account of the company and petitioner has no concern with the alleged occurrence.

5. Learned APP for the State, on the other hand on the basis of the material available in the case diary has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation that the petitioner has provided the forged email address/link and on that email link the proforma of the agreement was also received by the informant and pursuant thereof he has deposited the amount in question, but the same has not acted upon.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Madhepura P.S. Case No.35 of 2023 pending in the court of



learned Chief Judicial Magistrate, Madhepura.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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