

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68335 of 2023

Arising Out of PS. Case No.-2876 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Chandan Kumar Das Son of Late Phulchand Ravidas @ Phulchand Rai
Resident of Village - Kurmidih, Godhar, Kenduadih Kumardih Barti, P.O.-
Kushundah, P.S.- Kenduadih, District- Dhanbad, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anand Mohan Dubey Son of Ram Bhawan Dubey Resident of Village-
Mitramandal Colony, P.S.- Gardanibagh, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Complaint Case No.2876(c) of 2020 instituted under under Section 420 of the Indian Penal Code lodged on 05.11.2020 by the Complainant, Anand Mohan Dubey.

3. As per the prosecution story, the petitioner was an employee of BCCL Dhanbad and allegation is that the complainant who superannuated from the service from Ranchi Secretariat, the three accused persons including this petitioner prevailed upon him of offering job to his family members, took away Rs.23,02,900/- on different dates and later as there was no question of offering any job, upon request gave cheques which



ultimately bounced. Feeling cheated, the F.I.R.

4. Learned counsel for the petitioner submits that the actual culprit is Shyam Narayan and not him and only because he is working in the same BCCL and close to the accused, Shyam Narayan, he has been dragged in.

5. Learned APP on the other hand has taken this Court to the concluding part of the order of the learned Session Judge to show that it was this petitioner who received three cheques of Rs.8 lacs and Rs.7 lacs totaling Rs.23/- lacs issued by the complainant and as such he has wrongly submitted that the petitioner no role to play in this matter.

6. Learned counsel for the petitioner submits that those cheques are subject matter of other cases. From the materials available on record, it is not clear on what basis the learned counsel for the petitioner is submitting that the said cheques are part of another case.

7. The allegation is of having connived with the accused persons of extracting money from the complainant for providing job, he despite being a Government servant being part and parcel of such execution.

8. Accordingly, this Court is not inclined to extend him privilege of anticipatory bail which is accordingly rejected.



9. However, if the petitioner surrenders within four weeks from today, the same shall be taken up for consideration and disposed of on merit without being prejudiced by any observation made by this Court.

(Rajiv Roy, J)

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