

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75333 of 2022

Arising Out of PS. Case No.-439 Year-2018 Thana- NAWADA District- Nawada

SONU KUMAR S/O RATAN SINGH Resident of village- Anandpura, P.S.-
Kadirganj (Nawada Town), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 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 420, 467, 468 and 379 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, total Rs.1,10,000 (One Lakh Ten Thousand Only) was withdrawn by one Chandan Raj through A.T.M. from Account No.3611359249 on 22.06.2018 by different transactions and on different date. Informant further alleged that the above amount has been defalcated after withdrawal by Chandan Raj (real name Sonu Kumar) on the basis of forged cheque, Pan Card and Aadhar Card.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner only on suspicion the petitioner has been made accused in the present case. He further submits that from perusal of the FIR itself it is evident that informant had admitted that alleged amount of Rs.1,10,000/- has been withdrawn by Chandan Raj son of Umesh Singh but later on petitioner's name falsely dragged in this case. 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 submits that the petitioner is also involved in this case. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and arguments of the parties, I am not inclined to enlarge the petitioner on bail in connection with Nawada Town P.S. Case No. 439/2018. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the



order, preferably, on the same day, without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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