

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6753 of 2024

Arising Out of PS. Case No.-97 Year-2022 Thana- VALMIKINAGAR District- West
Champaran

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ARBIND KUMAR PASWAN S/O- MADAN PASWAN R/O- VILLAGE-
SAREYA KANUTOLA, WARD NO.- 6, P.S.- PAHARPUR, DIST.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Jagdhari Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 22-02-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Valmikinagar Police Station Case No. 97 of 2022, disclosing offences punishable under Sections 420/406/409/120-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant, along with other ladies, took loan from Swatantra Microphin Private Limited to the tune of Rs. 39,150/-, Rs. 37,339/- and Rs. 39,150/-. The loan amount was transferred in the bank account of the informant and others. The petitioner, along with other co-accused persons told the informant and other borrowers



that loan amount was wrongly transferred in their bank accounts and thereby duped the informant and others.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the informant and other borrowers were not entitled for loan and since the loan amount was transferred wrongly in their bank accounts, the said loan amount was re-transferred in the account of the Swatantra Microphin Private Limited.
5. Upon query by this Court that re-transfer of the loan amount was done by which mode and where is the proof of re-transfer of the loan amount in the account of Swatantra Microphin Private Limited, learned Counsel showed his inability.
6. From perusal of the First Information Report, it appears that the petitioner is the Field Officer of Swatantra Microphin Private Limited. Learned Sessions Judge, West Champaran, at Bagaha, while rejecting the anticipatory bail application of the petitioner, has taken note of the materials available in the case diary collected during the course of investigation.
7. Considering the aforesaid facts and nature of allegation, I



am not inclined to grant the petitioner privilege of anticipatory bail.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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