

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51027 of 2023

Arising Out of PS. Case No.-371 Year-2023 Thana- SHASTRINAGAR District- Patna

Jay Shankar Kumar Pandey @ Jay Shankar Pandey Son Of Girja Shankar Pandey Resident Of Village - Awadh Niwas (Putul Singh), First Floor Rajeshwari Vihar Phage - Ii, Post - Kurthaul, P.S. - Parsa Bazar, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravashankar Mishra
For the Opposite Party/s	:	Mr. Madan Kumar
For the Informant	:	Mr. Lokesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 04-01-2024 Heard learned counsel for the petitioner, learned counsel for the informant, learned counsel for the I.G.I.M.S. and learned A.P.P. for the State.

2. Learned counsel for the informant has filed a counter affidavit in the Court. Let it be kept on record.

3. The petitioner apprehends his arrest in Shastri Nagar P.S. Case No. 371 of 2023 registered for the offences punishable under Sections 406, 408, 420, 120B of the Indian Penal Code pending in the Court of learned Additional Chief Judicial Magistrate-IX, Patna.

4. As per the prosecution case, the informant's company is working on PPT mode in collaboration with IGIMS, Patna, and for this it was ensured that one marketing



executive was appointed in all the districts. In this matter, the petitioner was appointed as marketing executive for collection of biological waste generated from the all hospitals of Nalanda and New Bypass, Patna. The works, of the executive, are registration of hospitals and disposal of medical waste from those hospitals and to deposit the payments made by those hospitals in the account of Director, IGIMS, Patna. It is alleged that the petitioner was involved in illegal work through issuing duplicate bills and money receipts and also grabbed government funds.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is some dispute between the petitioner and his employer for some salary payment and due to this reason the petitioner has been dragged in the present case by the employer. He further submits that the petitioner has made all payments within time to the account of IGIMS, learned counsel for the informant denied this fact. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State as well as learned



counsel for the informant opposed the prayer for anticipatory bail and submitted that in Annexure-4 series of the supplementary affidavit filed on behalf of the petitioner the money receipts in the name of I.G.I.M.S., are forge and fabricated.

7. Considering the facts and circumstances of case and the nature of the offence, it is not fit case for anticipatory bail, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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