

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57291 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- DIGHALBANK District- Kishanganj

Iquebal Ahmad @ Iqbal Ahmad Son of Shamim Ahmad Resident of
Dighalbank ward no 3, Po and Ps- Dighalbank, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate Mr. Satish Kumar Sinha, Advocate
For the Informant	:	Mr. Amal Kumar Sinha, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard Mr. Baxi S.R.P. Sinha, learned senior counsel assisted by Mr. Satish Kumar Sinha, for the petitioner and Mr. Amal Kumar Sinha, learned counsel for the informant and Mr. Sanjay Kumar Singh, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Dighalbank P.S. Case No. 66 of 2024 registered for the offences punishable under Sections 323, 406, 417, 420 and 120B of the Indian Penal Code.

3. The petitioner, being the Director of the company, namely, Fast World Nidhi Bank, along with other co-accused is said to have defalcated the public money of Rs.81,83,820/-.

4. It is submitted by learned senior counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that the



incident took place on 02.09.2023 but the complaint before the learned C.J.M. was filed on 18.05.2024, without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that one Mujahid Alam @ Master Mujahid had been demanding 'Rangdari money' from the petitioner's company and when his illegal demand was not fulfilled, he started harassing the petitioner and other co-accused persons in various manner by influencing the district police officials and other people. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the petitioner has defalcated the huge public money in association of other co-accused being the Director of the said company. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the



petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order in the light of the judgment passed by the Hon’ble Apex Court in the case of *Satendra Kumar Antil Vs. Central Bureau of Investigation* reported in *(2022) 10 SCC 51*.

(Anjani Kumar Sharan, J)

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