

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58749 of 2023

Arising Out of PS. Case No.-94 Year-2013 Thana- WARISNAGAR District- Samastipur

Sanjay Umakar @ Sanjay Umakar Son Of Gaya Prasad Resident Of Village /
Mohalla - Dhobisarra, P.S. - Barghat, District - Seoni (MADHYA Pradesh)
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dimpal Kumari
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 420, 467, 468, 34 of the Indian Penal Code.

3. Prosecution case is that the informant is a businessman and he saw an advertisement in Dainik Jagran News Paper that for constructing of house Sri Dhan Lakshmi Finance Company provided loan for that on which mobile number was of the petitioner and one Pankaj. It is further alleged that the informant has made connection with both the persons, thereafter, he gave an application and deposited Rs. 5500/- and Rs. 10,000/- in Account No. 31781804536 of State Bank of India. It is further alleged that when the informant went to the bank for withdrawal of money then the Bank replied that



signature has not been tallied. Thus, the informant was cheated by the petitioner from different sorts.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that the petitioner is a Trade Automobile Technician serving with Air Force Station Bhuj (Gujrat) at present. He submits that the petitioner had initially joined on 29.01.2011 and during the alleged occurrence i.e. 28.07.2012 to 23.02.2013, he was posted at Avadi Chennai, and then at Chauba Assam. He submits that although the Account No. 31781804536 is of petitioner but he had not received ATM card of that account by the SBI, Barghat branch by which some amount in different times had been withdrawn through different ATM at Faridabad. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposing the prayer for bail submits that the petitioner has committed forgery with the informant, as such, he does not deserve anticipatory bail. He further submits that there is ample evidence against the petitioner in the case diary.



6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Warisnagar P.S. Case No. 94 of 2013.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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