

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68404 of 2023

Arising Out of PS. Case No.-107 Year-2020 Thana- GHOGHARDIHA District- Madhubani

Shankar Jha @ Shri Shankar Jha @ Shankar Kumar Jha Son Of Late
Mahendra Jha Village- Ghoghardiha Ps- Ghoghardiha Dist- Madhubani
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mrs. Vaishnavi Singh
For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Ghoghardiha P.S. Case No. 107 of 2020 registered for the offences punishable under Sections 409, 420 of the Indian Penal Code pending in the Court of learned Additional Chief Judicial Magistrate-I, Jhanjharpur District-Madhubani.

3. As per the prosecution case, the petitioner along with other co-accused persons are said to have committed financial irregularity and corruption in the Nagar Panchayat, Ghoghardiha and also not complied the official guidelines.

4. 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



the petitioner is the Ex-Chairman of Nagar Panchayat, Ghoghardiha. He submits that as per the enquiry report, it is evident that the Auditor found altogether 22 discrepancies and almost all discrepancies have been removed or in some discrepancies there were some lacuna either through bank or through Executive Officer and the Accountant. Petitioner has three criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of case, nature of the offence, and the fact that F.I.R. was lodged against the petitioner after intervention of this Court, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. 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.

(Anjani Kumar Sharan, J)

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