

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72153 of 2024

Arising Out of PS. Case No.-5 Year-2011 Thana- GHORASAHAN District- East Champaran

Anupam Kumar @ Anupam Kumar Dwivedi Son of Rupa Narayan Trivedi
Resident of Village - Nimoiya, P.O.and P.S.- Ghorasahan, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-10-2024 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 Ghorasahan Police Station Case No. 05 of 2011,
disclosing offences under Sections 467, 468, 471, 420 of the
Indian Penal Code.

3. As per the First information Report, the informant
had taken two rooms on rent from grand-father of the petitioner,
namely, Satyadeo Trivedi and started running his Clinic. After
some times, Satyadeo Trivedi and his family members advised
the informant to install Tower of SPICE or S-TEL and assured
that he will look-after the Tower. The informant after consulting
his family members gave Rs. 1,30,000/-to Satyadeo Trivedi. It is



further stated that besides the informant, other persons had also given money for installation of Tower. When Tower has not been installed, the informant and other persons demanded money from the accused persons, but the accused persons started avoiding it and thereafter, a Panchayati has been held, in which this petitioner did not come and grand-father of this petitioner, Satyadeo Triviedi and others sought one month more time, but after lapse of one month, the accused persons did not return money to the informant and others. Thereafter, the informant called the petitioner, who made a Panchnama before Panches and sought further four months more time. After lapse of four months, this petitioner, his father and mother left the house and when the informant demanded his money from father, uncle and other family members of this petitioner, they started avoiding it and threatened the informant of dire consequences. It has further been alleged that one cheque was handed over to the informant by this petitioner five months ago, which has been found as forged by the Manager of the Bank.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case based on false, fabricated and concocted story. He next submits that this



false case has been lodged against the petitioner on the instance of some influential persons of the society who have inimical terms with the petitioner's family. He next submits that petitioner has given a total sum of Rs. 2,45,000/- to the informant through Demand Draft on 01.06.2024 against the amount of Rs. 1,30,000/- which has been received in the margin of the order sheet. He further submits that the petitioner had no knowledge regarding the present case and when he came to his home, he got to know about the present case.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is named in the FIR and charge sheet has been submitted against this petitioner declaring him as absconder, the process under Section 83 of Cr.P.C. has also been issued against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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