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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3337/2024**

MANOJ KUMAR JHAPetitioner
Through: **Mr. Aditya Kapoor, Advocate.**

versus

STATE GOVT OF NCT OF DELHIRespondent
Through: **Mr. Raghuinder Verma,**
APP for the State.

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

% **ORDER**
12.11.2024

1. The instant application under Section 482 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the applicant seeking grant of anticipatory bail in FIR no. 81/2021 registered Police Station – Parliament Street for offences punishable under Sections 204 of the Bharatiya Nyaya Sanhita, 2023.
2. Learned counsel appearing on behalf of the applicant submitted that the petitioner is innocent and has nothing to do with the case of the prosecution as the allegations levelled against him are baseless, misconceived and without any substantial proof.
3. It is submitted that the applicant had filed an application seeking anticipatory bail before the learned Court below, however, the same was dismissed erroneously as the Court concerned failed to take into account



that the applicant could not join the investigation due to medical reasons where he was suffering from ‘*Phimosi*s’ and the doctor had advised him to be operated and to not travel.

4. It is submitted that the applicant is ready and more than willing to join and cooperate with the investigation agency as and when required. It is submitted that the present FIR has been lodged in order to defame and destroy the political career of the applicant and upon perusal of the FIR, no incriminating role can be established against him.

5. It is submitted that the accusations levelled against the applicant lack substance and are bereft of any foundational veracity. It is further submitted that a comprehensive and impartial inquiry will unveil the frailty of the charges and ultimately vindicate the applicant. Therefore, in view of the foregoing submissions, it is prayed that the applicant may be granted anticipatory bail.

6. *Per Contra*, learned APP appearing on behalf of the State vehemently opposed the instant application submitting to the effect that the applicant has failed to join the investigation and he is an accused in many other FIRs involving similar nature of offences. Therefore, it is prayed that the instant application may be dismissed.

7. Heard the learned counsel appearing on behalf of the parties and perused the material available on record.

8. Learned APP for the State has placed on record a Status Report wherein several facts have been brought into the light. In the said Status Report, it has been stated that during the investigation, it was revealed that the applicant herein procured a sim card, through his domestic help namely Mr. Kameshwar Kumar, by giving him a driving license which was later



taken back by the applicant. During the further investigation, CCTV footages of hotel Radisson Blu were obtained wherein the applicant and Mr. Kameshwar Kumar can be seen checking-in and checking-out while they visited Delhi a day before purchasing of the alleged mobile number.

9. Thereafter, a notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 was served to the applicant who is a resident of Bihar to join the investigation, however, he did not join the investigation and instead he filed an anticipatory bail application before the Sessions Court of Patiala House Courts which was dismissed after repeated directions to join the investigation were not complied with by the applicant.

10. This Court has also taken into consideration the fact that the applicant, by impersonating a public servant, sought certain information which are sensitive in nature and learned APP has submitted that investigation is to be done from the applicant to seek details as to for what purpose did he obtain the details and what was done with the said information.

11. This Court has also taken consideration of the fact that the applicant herein failed to join the investigation despite repeated directions of the learned Court below and instead proceeded to file anticipatory bail before this Court. Moreover, some crucial facts that have been brought into the notice of this Court through the Status Report is that the applicant herein in an accused multiple FIRs involving offences of similar nature. The details of such FIRs are as follows:

- a. FIR no. 184/18, under Sections 170/186 of the Indian Penal Code, 1860 (hereinafter “IPC”) at Police Station - Shivaji Nagar, Gurugram, wherein, it is alleged that he



impersonated himself as Mr. BK Jha, Judge of Patna High Court.

- b. FIR no. RC0032021A0029 dated 13th July, 2021, registered at Police Station - ACB, CBI, wherein, CBI arrested the applicant for cheating a person to the tune of Rs. 80 Lakhs by posing as Chairman of National Highway Authority of India. 200 SIM cards were recovered from his Bokaro, Jharkhand premises and the cheated amount i.e. Rs. 80 Lakhs was transferred through *hawala* to Kolkata and collected by the applicant himself.
- c. FIR no. 424/24, under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station - Babubarhi, Distt. Madhubani, Bihar.
- d. FIR no. 429/24, under Sections 318(2)/318(4)/319(2)/336(2)/336(3)/338/340(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station - Babubarhi, Distt. Madhubani, Bihar.
- e. FIR no. 55/15, under Sections 170/420/467/468/471/201/184/511 of the IPC, registered at Police Station - Ambala, Haryana.
- f. FIR no. 422/18, under Sections 170/201/419/420 of the IPC, registered at Police Station - Bhiwani Civil Lines, Haryana.
- g. FIR no. 51/15, under Sections 419/420/506 of the IPC, registered at Police Station - Samrala, Distt. Ludhiana, Punjab.
- h. FIR no. 35/16, under Sections 419/420/467/468/471/120B



of the IPC, registered at Police Station – Sector 17, Chandigarh.

- i. FIR no. 26/17, under Sections 467/468 of the IPC, registered at Police Station – Laheria Sarai, District – Darbhanga, Bihar.
- j. FIR no. 592/13, under Sections 419/420 of the IPC, registered at Police Station – Laheria Sarai, District – Darbhanga, Bihar.
- k. FIR no. 16/13, under Sections 147/148/323/324/325/307/504/44/379 of the IPC, registered at Police Station – Babubarhi, Distt. Madhubani, Bihar.
- l. FIR no. 125/10, under Sections 171F/188 of the IPC, registered at Police Station – Babubarhi, Distt. Madhubani, Bihar.

12. Having perused the Status Report filed by the State, this Court does not find any merit in the instant application and is of the view that the applicant has failed to put forth any proposition seeking anticipatory bail as his conduct reveals that he did not join the investigation despite directions of the Court concerned as well as notices issued by the investigating agency. Moreover, the applicant has no clean antecedents as observed in the preceding paragraph. Furthermore, this Court is not inclined to grant anticipatory bail to the applicant as the investigation is at its nascent stage and it has been alleged in the FIR as well as in the Status Report that the applicant has obtained sensitive information by impersonating a public servant.

13. In view of the aforesaid facts and circumstances, the instant



application seeking anticipatory bail stands dismissed along with the pending applications, if any.

CHANDRA DHARI SINGH, J

NOVEMBER 12, 2024
NA/ryp

[Click here to check corrigendum, if any](#)