

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74888 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- MUFFASIL District- West Champaran

Ashu Kumar Shukla @ Ashu Shukla Son of Parash Nath Shukla Resident of
village- Khajuhatti, Baikunthpur, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aayush Abhishek, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Aayush Abhishek, learned counsel for the

petitioner and Mr. Anand Kishore Choudhary, learned APP for

the State.

2. The petitioner is apprehending his arrest connection
with Bettiah Mufassil (Banuchappar) P.S. Case No. 289 of 2023,
Arising out of Complaint Case No. 404(c) of 2023 F.I.R. dated
09.05.2023 registered for the offences punishable under
Sections 406, 420, 467, 468, 471 and 34 of the Indian Penal
Code and Sections 66/66B/66c/66D/66E/66F of Information and
Technology Act.

3. Allegation against the petitioner is that he
contacted the informant on mobile phone and with the help of
other co-accused persons to obtain his account details and
committed fraud of Rs. 3,54,000/-.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R./complaint petition that the same was filed after delay of more than four weeks without any giving any explanation of delay and nothing has come during investigation to suggest the involvement of the petitioner in the present crime.

5. Learned APP for the State, on the other hand, on the basis of material available on record and case diary, vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation in paragraph-27 of the case diary and supervision note which is mentioned in paragraph-32 of the case diary that the petitioner was involved in the present crime in question and apart from that the Investigating Officer has also obtained C.D.R./S.D.R. of the location of the petitioner which suggests that 10 (ten) times talked between the informant and the petitioner.

6. Considering the aforesaid facts and circumstance of the case, I am not inclined to grant the privilege of anticipatory



bail to the petitioner in connection with Bettiah Mufassil
(Banuchhapar) P.S. Case No. 289 of 2023 arising out of
Complaint Case No. 404(c) of 2023 pending in the Court of
learned Chief Judicial Magistrate, Bettiah, West Champaran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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