

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43936 of 2014

Arising Out of PS.Case No. -147 Year- 2014 Thana -KHAGAUL District- PATNA
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1. Satyendra Narayan Mahto @ Satendra Narayan Mahto Son of Shiv Mahto Resident of Village-Sabipura (Phulwarisharif), P.S.-Phulwarisharif, District-Patna.

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Ashok Kumar. S/o- Ramashish Yadav resident of Village Talwa, P.S. Katwa, district – East Champaran.
- 3. Binod Kumar, S/o- Nami Prasad Kushwa, resident of village Talwa, P.S. Kotwa, District – West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma
For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 03-03-2015 Heard learned counsel for the petitioner, Opposite Party Nos. 2 and 3 and the learned counsel for the State.

The petitioner is in custody since 10.09.2014 in a case for the offence registered under Sections 467, 468, 419, 420/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with one Satrugan Kumar Thakur participated in an agreement with the opposite party nos. 2 and 3, namely,

Ashok Kumar S/o- Ramashish Yadav and Binod Kumar S/o Nami Prasad Kushwaha to part with Rs. 70,000/- each for the purpose of securing a job in railway. It is alleged that this petitioner also manipulated the issuance of fake appointment letters, which were subsequently found to be forged and fabricated.

Learned counsel for the petitioner, however, submits that the name of the petitioner has been roped in the present case as because there was no occasion, whatsoever, for this petitioner to meet with the said Satrugan, as has been alleged in the FIR.

Learned counsel for the opposite party nos. 2 and 3 however, submits that it was a fact that this petitioner had taken Rs. 70,000/ from each of them, just before issuance of appointment letters and soon thereafter, had been pressurizing them to part with further amounts ,as had been promised.

Learned counsel for the petitioner further gives a bona fide offer he is willing to deposit Rs. 70,000/- each in favour of the opposite party nos. 2 and 3.

Considering the aforementioned bona fide offer, made by the petitioner, let the petitioner deposit Rs. 70,000/- in favour of each of the opposite party nos. 2 and 3 in the court below subject to final decision of the case. On the said deposits having been made, the court below is directed to release the petitioner on furnishing bail bonds of Rs. 10,000/-

(ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Danapur in connection with Khagaul P.S. Case No. 147 of 2014.

(Anjana Mishra, J)

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