

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2208 of 2016

Arising Out of PS.Case No. -671 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Kumar Shivam @ Santosh Kumar, son of Kanhaiya Bhagat @ Ratan Bhagat, Resident of village - Madhopur Madhumalat, Police Station - Tirkauliya, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anil Kumar
For the informant : Md. Anis Akhtor,
For the Opposite Party : Mr. Uday Pratap Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 29-03-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Turkauliya P.S. Case No. 671 of 2015, registered under Sections 406, 419, 420 467, 468, 471, 472/34 of the Indian Penal Code.

The prosecution case is that the informant and three others named in the F.I.R. came in contact with petitioner and his brother Vikesh Kumar in coaching centre. The petitioner and his brother Vikesh Kumar informed about posting of his relative in Army as Commandant and they also allure that on giving Rs. 5,00,000/- any person can take job in Army. The petitioner and his brother contacted to informant and three others named in the



F.I.R. at their residence. Thereafter, father of the informant and three others along with their parents came at the house of the petitioner and in presence of Kanhaiya Bhagat @ Ratan Bhagat father of petitioner gave Rs. 20 lakhs (Rs. 5,00,000/- each person) for getting the job in Army. Thereafter, petitioner accompanied the informant and three others at Patna, where a person was introduced as Commandant in Army, who assured for giving job, the informant and three others named in the F.I.R. was accompanied by the petitioner at Delhi and they were medically examined at Army base hospital and appointment letter was issued on 25.07.2015, but on reaching at the place of joining, informant and three others come to know that appointment letters as handed over to them are forged.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the family of the petitioner was cheated by the informant and four others by taking Rs. 10,00,000/- for providing the job to the petitioner and his brother, but the appointment letters as handed over to them subsequently found forged regarding which the father of the petitioner filed the Complaint Case No. 2141 of 2015 on which basis, Turkauliya P.S. Case No. 730 of 2015 is instituted against the informants and three others. Further submission is that

petitioner has no criminal antecedent and he is in jail since 16.11.2015 and chargesheet has already been submitted.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 671 of 2015.

(Rajendra Kumar Mishra, J.)

manish/-

U		T	
---	--	---	--