

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37500 of 2017**

Arising Out of PS.Case No. -55 Year- 2016 Thana -RAMGARHWA District-  
EASTCHAMPARAN(MOTIHARI)

=====

Vijay Paswan @ A. S. I. Vijay Paswan, Son of Late Jagdish Paswan,  
Resident of Village- Sadikpur, P.S.- Bhadaur, Dist- Patna.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with  
Mr. Birendra Kumar, Advocate

For the Informant : Mr. Dilip Kr. Tondon, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      21-08-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Ramgarhwa P.S. Case No. 55 of 2016 registered for the offences punishable under Sections 406, 420 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of taking total amount of Rs.3 lakhs from the informant for providing job in the police.

It has been submitted on behalf of the petitioner that no offence is made out against the petitioner for the purpose of taking money from the informant for an illegal purpose and, that too, without showing any document and for that the informant is



equally responsible.

Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for anticipatory bail stating that offence is serious in nature.

Having heard both sides and in view of facts and circumstances and also considering the fact that petitioner is a Government servant and there is no chance of absconding of him, let the petitioner, named above, surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order along with a Bank Draft for Rs.3 lakhs in the name of the informant, which shall be released in favour of informant on undertaking and that will be subject to the result of this case and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, in connection with Ramgarhwa P.S. Case No. 55 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that :-

- (i) One of the bailors should be a local person having sufficient immovable properties within the jurisdiction of court concerned,



- (ii) Petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bonds,
- (iii) Petitioner will not induce any witness or tamper with the evidence.

**(Vinod Kumar Sinha, J)**

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