

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52918 of 2017

Arising Out of PS.Case No. -449 Year- 2017 Thana -KOTWALI District- PATNA

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Mukesh Kumar Gupta @ Munna Afat, Son of Late Surendra Prasad @
Surendra Prasad Gupta Resident of Village-Ahiyachak Katrisarai, P.S.
Katrisarai, Dist. Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kotwali P.S.**

Case No. 449 of 2017 instituted for the offence under Sections
417, 418, 419, 420, 120(B) of the Indian Penal Code, Sections
66(A), 66(D) of I.T. Act.

The informant who is Section Officer (Central
Secondary), Bihar School Examination Board, Patna, alleged in
the written report that the guardian of candidate of Anjali Kumari
who appeared in the T.E.T. Skill Test-2017, namely Raj Kumar
Pd. Sinha, informed the informant that his daughter received calls
from mobile Nos. 7482920394, 7482876642, 8298465433 and
8405853083 on her Mobile No. 8420606364 and the caller told
her to pay Rs.25,000/- for clearance of pending result of T.E.T.



The caller also told her that if she failed to pay the said amount, her result would be in negative.

Learned counsel for the petitioner has submitted that the mobile Nos. from which the money was demanded as mentioned in the written report, do not belong to this petitioner. His name has come during investigation on the basis of confessional statement of co-accused Nitish Kumar.

Case diary has been received.

The learned Sessions Judge has mentioned in the impugned order that confessional statement of co-accused Nitish Kumar has been recorded in paragraph-16 of the case diary in which he has confessed his guilt.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Kotwali P.S. Case No. 449 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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