

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55242 of 2017

Arising Out of PS.Case No. -451 Year- 2017 Thana -KOTWALI District- PATNA

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Mukesh Kumar Gupta @ Munna Afat, S/o Late Surendra Prasad @
Surendra Prasad Gupta, R/o Village- Ahiyachak Katrisarai, P.S.- Katrisarai,
District- 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 : Mr. Kumar Virendra Narayan, 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. 451 of 2017** instituted for the offence under Sections 417, 418, 419, 420, 120(B) of the Indian Penal Code, Sections 66(A) and 66(D) of I.T. Act.

The case has been registered on the written report of Section Officer (Central Secondary), Bihar School Examination Board, Patna, alleging that Sri Awadhesh Kumar, A.G.M. AAI, Patna Airport informed the informant that a person namely Chandan Kumar contacted his cousin through Whatsapp and gave him account number as mentioned in the written report to deposit money for passing the TET examination, 2017.

Learned counsel for the petitioner has submitted that there is specific allegation in the written report of demanding money, against



co-accused Chandan Kumar. The name of this petitioner has come during investigation in the confessional statement of Nitish Kumar.

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. 451 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.

(Sanjay Priya, J)

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