

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25227 of 2017

Arising Out of PS.Case No. -663 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Amit Kumar Jha @ Happy, son of Navin Kumar Jha, Resident of Village -
Bhojpatti, P.S. Sarai, Dist - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Devendra Kumar, son of Shri Ram Lalit Kunwar, R/V - Paroo Malahi,
PO & PS - Sarai, Dist - Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 07-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 663 of 2014, registered under Sections 406
and 420 of the Indian Penal Code.

The allegation of complainant-opposite party no. 2 is
that petitioner along with Navin Kumar and Bhushan Prasad
approached to him for admission of his son and nephew in N.I.T.
Bhubneshwar, on payment of donation Rs.2,20,000/- for the
Academic Sessions 2012-16. Accordingly, on instruction of the
petitioner and other co-accused, the complainant handover the
aforesaid amount on different hands but they did not take any heed
for taking admission of his son and nephew. The complainant-



opposite party no. 2 anyhow got admission of his son and nephew. When the informant contacted to Bibha Kumari, the she informed that Rs.40,000/- as given to her, was withdrawn by the petitioner. In spite of sending the legal notice to the petitioner and other accused they did not return the money.

Learned counsel for the petitioner submits that, in fact, the petitioner was the student of N.I.T. Bhubneshwar at the time of all3eged occurrence and in course of taking admission of his son and nephew complainant-opposite party no. 2 met with the petitioner but due to ulterior motive the petitioner has falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Hajipur at Vaishali, in connection with Complaint Case No. 663 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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