

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17420 of 2017

Arising Out of PS.Case No. -267 Year- 2016 Thana -KADAMKUAN District- PATNA

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AJAY KUMAR @ AJAY KUMAR VALMIKI, Son of Late Kishan Singh,
a resident of Niranjana Apartment, Rajendra Nagar, Road No.-11, Police
Station-Kadamkuan, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 24-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kadamkuan P.S. Case no. 267 of 2016, registered under Sections 419,
420, 467, 471, 506 and 504/34 of the Indian Penal Code.

The allegation of informant Gayanand Rai is that before
four years one Md. Prawej Khan used to reside on rent in his house till
February, 2016. Thereafter, he started to live in rented house situated
in Sweet Heart lane in that course Md. Parweej asked informant to
provide service to his son saying that his friend Ajay Kumar Balmiki
(Petitioner) is doing the job in mechanical department in NIT, Patna.
Thereafter, Md. Parweej along with Jitendra Kumar came at his house
and took cash of Rs. Five lakhs, when informant asked to Md. Parweej
about time of providing job then he did not reply



satisfactorily. Thereafter, on 02.09.2015 they brought the son of informant at Danapur Railway Hospital for medical checkups and in the month of June, 2016, he received documents regarding joining and training. Later on, Petitioner along with Parwej Khan and Jitendra Kumar come to his house and asked to furnish the original certificates, joining letter and also cash of Rs. 2,00,000/- then informant handed over cash of Rs. Two lakhs along with all documents. When informant's son went to take training at East Central Railway then he came to know that his name was not in the list of training and appointment as well as training letter was found forged.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that this petitioner was not present at the time of handing over Rs. Five lakhs. Further submission is that petitioner is friend of Md. Parwej Khan and due to that reason, he has also been implicated in this case. The petitioner has no criminal antecedent. Further submission is that in para 35 of the case, the Investigating Officer has not found any evidence about handing over the money to the petitioner.

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 four 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 Judicial Magistrate, 1st Class, Patna in connection with



Kadamkuan P.S. Case No. 267 of 2016, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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