

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35160 of 2017

Arising Out of PS.Case No. -739 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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Subodh Kumar, S/o Gajadhar Singh Resident of Village-Purainiya, P.S.-
Minapur, District-Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. Nagina Devi W/o Jitendra Shahi, R/o Village-Harka Kalyan, P.S.-
Minapur, District-Muzaffarpur

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K. Arun, Adv.

For the Opposite Party/s : Mr. Satendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 06-12-2017 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. 739 of 2016, registered under Sections 323, 420
and 406 of the Indian Penal Code and Section 38 of the N.I. Act.

The accusation is that Rahul Kumar, son of the
informant, had applied for the post of constable in C.R.P.F. After
receiving Admit Card, Rahul Kumar use to visit C.R.P.F. Camp,
Jhapha, where petitioner met to him, who introduced to Ajit Kumar
Singh working in C.R.P.F. Thereafter, petitioner asked to Rahul
Kumar, son of the informant, for giving Rs. 2 Lakhs for appointment
of constable in C.R.P.F. Thereafter, informant gave Rs. 2 Lakhs to Ajit
Kumar on the assurance of petitioner that he will make arrangement to



pass his son Rahul Kumar in the examination and Ajit Kumar also handed over three cheques of Rs. 2,68,000/-, but Rahul Kumar, son of the informant, neither selected on the post of constable nor the money was returned to him in spite of repeated requests.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that Rs. 2 Lakhs was handed over by informant to Ajit Kumar Singh on issuing the three cheques of Rs. 2,68,000/- as security on the introduction of the petitioner and there is no allegation that petitioner had taken the money to the informant. The petitioner has no criminal antecedent.

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, Muzaffarpur in connection with Complaint Case No. 739 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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