

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39555 of 2017

Arising Out of PS.Case No. -416 Year- 2017 Thana -NAWADA TOWN District- NAWADA

=====

Ranjeet Kumar @ Mantu Son of late Bhagwan Das Resident of Village-
Ram Nagar, Nawadah, P.S. Nawadah Town, District- Nawadah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Smt. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State and perused the record.

The petitioner apprehends arrest in connection with
Nawadah Town Police Station Case No. 416 of 2017 registered for
the offence(s) punishable under section(s) 420/409/34 of the
Indian Penal Code.

This petitioner is an Assistant in Collectorate Office
at Nawada. The allegation is that he along with other co-accused,
took an amount of Rs. 3,00,000/- (three lakhs) for getting the wife
of informant appointed in Government job.

The learned counsel for the petitioner submits that
there is not a single chit of paper to show that any amount was
given to the petitioner or any other accused. The learned counsel



referred a Ruling reported in **2017 (3) PLJR 152 (Ashutosh Mishra @ Chhote Mishra and another vs. The State of Bihar and others)** wherein it has been held that the person allegedly advanced money to ensure back door entry, he cannot get protection of law and even he cannot bring the suit for recovery of aforesaid amount. The allegation of taking money relates to the year 2012-2013, but the FIR has been lodged after lapse of five years, which creates a doubt as regards payment of money. The petitioner has clean antecedent and so, he deserves anticipatory bail.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

On perusal of FIR, I find the allegation of giving money to the petitioner relates to the year 2012-2013 and after lapse of five years, the present case has been lodged. The allegation of giving money for unlawful purpose also appears vague.

Considering the facts and circumstances, as stated above, this application for anticipatory bail is allowed and it is directed that the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawadah Town Police Station Case No. 416 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

