

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5601 of 2018

Arising Out of PS. Case No.-253 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Ashwini Kumar @ Golu, S/o Kamala Kant Pandey, R/o Village- P.O/P.S.- Ara, Nawada, D.M. Kothi Road, P.S.- Ara, Nawada, Nawada, Dist- Bhojpur, presently R/o House No. 181 P.O/P.S.- Ormanjhi, Dist.- Ranchi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Laheri P.S. Case No. 253 of 2017, G.R. No. 2484 of 2017 instituted for the offence under Sections 420,120B and 406 of the IPC.

Learned counsel for the petitioner has submitted that there is no mention in the written report about the payment made into the account of the petitioner. The money has been transferred by the informant as mentioned in the written report amounting to Rs. 1,10,000/- in the account of Nilesh Singh. Thereafter, this petitioner also called the informant to pay Rs.3,00,000/- each candidate for job and, thereafter, the informant deposited the amount in different accounts of the



petitioner as mentioned in the written report.

The informant was specifically directed by this Court vide order dated 22.02.2018, to file counter affidavit bringing on record the details of the account of the petitioner and his brother in which the payment has been deposited as well as cash payment made to them.

Learned counsel for the informant has appeared and submitted that counter affidavit has already been filed by him.

Learned counsel for the petitioner has referred to Annexure-4, which is petition filed in the Court below by the informant stating therein that money was deposited in the account of this petitioner because petitioner was the President of Sports Association. The transaction was made in his account in that regard. The allegation of giving money to petitioner for providing job is not correct.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Laheri P.S. Case No. 253 of 2017, G.R. No. 2484 of 2017, to the



satisfaction of the learned Additional Chief Judicial Magistrate, Bihar Sharif, subject to condition as laid down u/S 438 (2) of the 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 bonds of the petitioner and (3) if the 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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