

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31523 of 2018

Arising Out of PS.Case No. -204 Year- 2016 Thana -BHOORE District- GOPALGANJ

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Akhilesh Pandit @ Akhileshwar Prasad S/o Fulpati Pandit, R/o Village-Bindusar, P.S.- Siwan, District- Siwan. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Bhoore Police Station Case No. 204 of 2016 registered for the offences punishable under sections 419 and 420 of the Indian Penal Code.

As per FIR, this petitioner along with his father visited at the shop of informant in the early morning on 10.07.2016 and demanded Rs.2,25,000/- for sending his son and son-in-law to abroad (Uzbekistan). The son-in-law of the informant transferred an amount of Rs.1,91,000/- from his S.B.I A/c No. 33360295410 to the account of this petitioner during the period from 01.09.2016 to 12.09.2016. The father of this petitioner took cash of Rs.30,000/-.

The learned counsel for the petitioner submits that this petitioner and his father are unknown to the informant and there was no occasion for them to go to the place of informant to collect the



money for sending his son and son-in-law to Uzbekistan. There is nothing on record to support the allegation of informant. The informant even if has paid any money to this petitioner, he has remedy to recover the same by filing a money suit. The petitioner is resident of Siwan district whereas the informant is resident of Gopalganj district. The petitioner is in custody since 13.03.2018 having clean antecedent and so he deserves to be enlarged on bail.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XII, Gopalganj in connection with Bhore Police Station Case No. 204 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

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(Sanjay Kumar, J)

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