

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36546 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -SIRDALA District- NAWADA

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Akhilesh Kumar Yadav @ Akhilesh Kumar Son of Babulal Prasad Yadav
@ Babulal Prasad, R/o Village- Surjudin, P.S.- Sirdala, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 09-02-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Sirdala PS case no. 217 of 2016 registered for the offences
punishable under Sections 420, 506, 406, 467, 471 and 473 of the
Indian Penal Code.

The case of the prosecution is that the accused persons are
said to have taken a sum of Rs. 5 lacs from the informant and it
was promised that they would register a land in lieu of the said
amount. However, subsequently the accused persons refused to
return the said amount of Rs. 5 lacs and instead, they promised to
provide a job to the informant. Thereafter, the accused persons
neither returned the money nor gave job to the informant in



railway, however, upon being pressured, the father of the petitioner herein is said to have given a cheque of Rs.3,50,000/- in the name of the informant, however, the same got bounced on account insufficient funds in the Bank account.

The learned counsel for the petitioner submits that the petitioner has submitted an affidavit to the effect that no cheque had been given by the father of the petitioner to the informant and it is the contention of the learned counsel for the petitioner that no amount has either been taken from the informant nor any amount is due to be paid to the informant. It is further submitted that the petitioner is ready to abide by the conditions to be imposed for the purposes of grant of anticipatory bail.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Nawada in connection with Sirdala PS case no. 217 of 2016, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.



It is directed that the petitioner shall join investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

(Mohit Kumar Shah, J)

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