

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36390 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- SULTANGANJ District- Patna

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AMIT KUMAR @ AMIT son of Rajendra Choudhary, resident of Village-
Bhaira Khara, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 27-08-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

Petitioner apprehends his arrest in Sultanganj P.S.case
no.56 of 2018 instituted for the offence under Section(s)
420,504 and 506 of the Indian Penal Code.

As per prosecution case, this petitioner has taken
money from the informant along with his partner, namely,
Ranjit Kumar in the name of providing job to the post of LDC
in SSC. The informant paid Rs.5,95,000/- to Amit Kumar in
cash in the year May, 2012 in presence of his partners, namely
Ranjit Kumar and Sachin Kumar and subsequently paid Rs.
2,25,000/- in his account. It is alleged that this petitioner had
taken total amount of Rs. 8,20,000/- and rest amount of Rs.
1,80,000/- was to be paid after joining. The informant made



demand of money then this petitioner abused and gave threat.

Learned counsel for the petitioner has submitted that in fact no any money was ever received by the petitioner. The supplementary affidavit has been filed in support of such submission. It has further been submitted that an amount of Rs. 2,25,000/- has been paid in account of Ranjit Kumar. The petitioner is an employee in AG office, Patna as an Accountant.

Case diary has been received.

Learned APP after looking into the case diary has submitted that it has come that an amount of Rs. 2,25,000/- has been received in the account of Ranjit Kumar.

Learned counsel for the informant has submitted that Ranjit Kumar is the partner of this petitioner.

From perusal of entire allegation it appears that no money has been paid to this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Sultanganj P.S.case no.56 of 2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-VIth Patna



City, subject to the conditions as laid down under Section 438(2) 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 bond of the petitioner and (3) if 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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