

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56364 of 2018

Arising Out of PS. Case No.-877 Year-2017 Thana- DEHRI TOWN District- Rohtas

Baljit Kumar S/o Basawan Singh, R/o Vill.- Madhurampur, P.S.- Akorhi Gola,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-12-2018 Heard Mr. Ranjay Kumar Singh, the learned

counsel for the petitioner and Mr. Rajani Kant Singh, learned

counsel for the informant as well as the learned counsel for

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Dehari Nagar P.S. Case No. 877 of
2017 dated 03.11.2017 instituted for the offences under
Sections 420, 467, 468, 120(B), 406, 323, 504 and 34 of
the Indian Penal Code.

It has been stated by the petitioner that the
complainant has categorically stated that Rs. 3,50,000/- was
collected by the petitioner and others for the purposes of



giving the informant a job in FCI and the aforesaid amount was deposited in the account of one Ramniwas Kumar. Neither the informant was provided with any job nor the money which was accepted by the petitioner for the purpose of providing job to him has been returned.

Hence, the F.I.R.

Learned counsel for the petitioner has drawn the attention of this Court to the fact that Ramniwas Kumar, in whose bank account Rs. 1,50,000/- has been deposited, has been granted bail by the court below in ABP No. 2136 of 2018 by order dated 22.09.2018 on the ground that the informant himself appeared before the Court and ratified that a settlement has been arrived at between the parties and his money has been returned.

Mr. Rajani Kant Singh, learned counsel appearing on behalf of the informant, however, has submitted that he has no instruction that whether money has been returned or not.

However, regard being had to the nature of accusation, this Court is of the view that there is no proof of



the fact that the money was collected from the informant at the instance of the petitioner. All the transactions appear to have been made in cash. The purpose for which money was given also does not appear to be legal. It appears that the informant also contributed by accepting the proposal to get employment through backdoor, which is not permissible or legal.

Under such circumstances, the proceedings of this Court will not be used for recovery of money if at all such money had been deposited.

However, taking into account that one of the other accused person has been granted bail on the basis of settlement, this Court is inclined to grant anticipatory bail to the petitioner also.

The petitioner above-named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M., Dehri-on-Sone in
connection with Dehri Nagar P.S. Case No. 877 of 2017,
subject to the conditions as laid down under Section 438 (2)
Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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