

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20205 of 2018

Arising Out of PS.Case No. -631 Year- 2017 Thana -DANAPUR District- PATNA

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1. Prem Choudhary, son of Late Laldeo Choudhary, resident of Mohalla-
Purenderpur, Near Bharatlal Tent House, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Adv
For the Informant : Mrs. Madhuri Kumari, Adv
: Mr. Abhishek Anand, Adv.
: Mr. Vivek Verma, Adv.
For the Opposite Party/s : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-07-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Danapur P.S. Case No.631 of 2017, a case under Sections
406/420/467/468/471/120B/34 of the Indian Penal Code.

According to F.I.R, a NGO, namely, “Swarn
Jayanti Seva Samiti” was running at Danapur in the district
of Patna. The petitioner was Chairman of the said NGO.
Other office bearers are also accused.

The prosecution case is that the informant and
others applied for getting job in the said NGO on the basis of
advertisement in daily newspaper. The candidates appeared



in the examination but they were failed deliberately and thereafter money was demanded to ensure their appointment. Salary and other perks were also disclosed to allure them. Accordingly they meted the demand. However, the job was not ensured and different refund cheques, issued in favour of different persons by the NGO, allegedly bounced. For the aforesaid occurrence different cases were lodged by the different victims of the cheating.

Submission of the learned counsel for the petitioner is that when the informant and others failed in the examination, just to put wrongful pressure false and concocted case has been lodged. The petitioner is in custody since 14.12.2017. Investigation of the case is already closed now. The F.I.R would reveal that the informant and others were themselves indulged in unlawful activity of ensuring backdoor entry on different posts of the NGO or in the Civil courts as alleged, therefore, they cannot get protection of law.

To counter the aforesaid submission, learned counsel for the informant as well as the State submits that, in fact, the petitioner is running a syndicate and he has link with other State also with deliberate intention to cheat the innocent people who are seeking job and several cases have been lodged against the petitioner for the aforesaid



allegation. Therefore, he does not deserve bail. Furthermore, during investigation, the allegations have been found true and charge sheet has already been submitted accordingly.

Petitioner has some criminal antecedent as disclosed in the supplementary affidavit.

Considering the nature of allegation and the period already undergone as well as completion of the investigation of the case especially the facts that the informant and others are apparently found indulging in illegal activity of getting backdoor entry in job so they cannot get protection of law, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Danapur Police Station Case No. 631 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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