

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22295 of 2018

Arising Out of PS.Case No. -687 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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Manoj Kumar, son of Jagnarayan Singh, resident of village- Kewtar, P.S.-
Makhdumpur, District- Jehanabad. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate

For the State : Mr. Manoj Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Jehanabad P.S. Case No.687 of 2017 registered under Sections
467, 468, 474, 420 and 120B of the Indian Penal Code and 66-B
and 66-C of the Information Technology Act, 2000.

It is submitted by the learned counsel for the petitioner
that the first information report has been instituted only on the
basis of hypothetical presumption and wild suspicion. There is
neither any direct nor any circumstantial evidence to connect the
petitioner with the alleged offence. According to the first
information report, the only allegation against the petitioner is that
his certificate was found in the bag of co-accused Vishal Kumar
@ Mukkdar. Such recovery in itself cannot make out any offence
much less a cognizance offence.

On the other hand, learned counsel appearing for the



State submitted that a huge racket was unearthed by the police in which some accused persons conspired together and enticed several persons to provide job as police constable on payment. From possession of the accused persons certificates submitted by the job seekers were recovered. He submitted that recovery of certificate of the petitioner from possession of co-accused Vishal Kumar @ Mukkdar would certainly attract the ingredients of the offences punishable *inter alia* under Sections 467 and 468 of the Indian Penal Code.

Considering the nature of allegation made in the first information report and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No.687 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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