

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27336 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -KOTWALI District- PATNA

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1. Sujeet Kumar Gupta @ Sujeet Gupta, aged about 50 Years, S/o Sri Naresh Gupta @ Naresh Prasad, R/o Ahiyachak, P.O.+ P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar School Exmination Board, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Kotwali P.S. Case No. 281 of 2017, registered for offences punishable under Sections 417, 419, 420 and 120 (B) of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that a person called through mobile to the informant to deposit Rs. 6,000/- in his account for clearing the result of the son of the informant, who failed in Xth Board Examination.

Submission of the learned counsel for the petitioner is that there is absolutely nothing against the petitioner and the mobile also disclosed that mobile does not belong to the



petitioner. It is also submitted that the petitioner has been falsely implicated and the confession of co-accused persons on which basis the name of the petitioner has been dragged in this case, has no evidentiary value.

Learned A.P.P. as well as learned counsel appearing on behalf of Bihar School Examination Board opposes the prayer for.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order, he will be released on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S.Case No. 281 of 2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

However, it is made clear that once charge sheet is submitted and the case is found true, the petitioner will have to surrender before the Court below and pray for regular bail which



will be considered on the basis of material available on record.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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