

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17278 of 2019

Arising Out of PS. Case No.-70 Year-2016 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura *

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Vijay Mahto, Son of Mahendra Mahto, R/o- Village- Palli, P.S.- Birupur,
District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit kumar, Son of Late Ramayan Singh Village- Hathiawa,p.s.
-sheikhpura, Dist - Sheikhpura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420 and 406 of the IPC.

The prosecution case, as per the complaint petition is to the effect that the petitioner along with co-accused, Pawan Kumar, Bhagirath Prasad and Pankaj Kumar persuaded the complainant to give money in lieu of getting employment in C.I.S.F., when the complainant claims to have deposited money in the bank account of co-accused Ashok Anand, Anand Kumar Sinha and



Arvind Kumar. Subsequently forged appointment letter was transmitted through post to the complainant.

It is submitted by learned counsel for the petitioner that admittedly as per the complaint petition, the money was not deposited in the bank account of the petitioner. Moreover, similarly situated co-accused, Pankaj Kumar has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 13.07.2017, passed in Cr. Misc. No. 26074 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation against the petitioner is specific.

Considering the fact that money was not deposited in the bank account of the petitioner and similarly situated co-accused person has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Complaint Case No. 70C of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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