

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27759 of 2019

Arising Out of PS. Case No.-67 Year-2014 Thana- KHIRHAR District- Madhubani

SUDHIR KUMAR JHA son of Rajendra Jha, resident of village-Madhupur,
PS-Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 07-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Khirhar P.S. Case No. 67 of 2014 registered
for offence punishable under sections 406, 420, 468, 120(B),
471, 341, 323 of the Indian Penal Code.

Allegation has been made against the petitioner to
have cheated Rs.50,000/- from the complainant in the name of
providing job in the Railway and after depositing Rs.2,00,000/-,
a fake letter of appointment letter was handed over to him.
When the complainant went for joining it transpired that it was a
fake appointment letter. During investigation, the name of the
petitioner also surfaced and in his account on two occasions
Rs.25,000/-+Rs.25,000/- has been deposited.



The learned counsel for the petitioner submits that the petitioner is ready to return the amount of Rs.50,000/- to the complainant.

In view of the statement made at the Bar, the petitioner in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on **provisional bail** on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Benipatti in connection with Khirhar P.S. Case No.67 of 2014, subject to the conditions as laid down under section 438 Cr.PC and also condition that the money should be deposited in the court below within 30 days and the court below will release the money after disposal of the complaint case. During the pendency of the case, the money would be invested in a proper place so that it could earn maximum amount. The bail of the petitioner will be confirmed after depositing Rs.50,000/- in the court below within the time prescribed. In failure to deposit the money, the interim relief granted to the petitioner will be treated to have been withdrawn. Further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioner will not



induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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