

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28034 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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GAURI SHANKAR PRASAD @ GAURI SHANKAR PRASAD SINHA Son
of Shri Rakesh Kumar Sinha Resident of Patel Nagar, South to the D.M.
House, Bihar Sharif, P.S. - Laheri, Bihar Sharif, District – Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnakant Prasad @ Sudhir Kumar Son of Sri Jagdish Prasad Resident of
Village - Bichali Malahi, P.S.- Barh, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Thakur
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-08-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 199(C)/2018, disclosing offences

under Sections 420, 406, 120(B) of the Indian Penal Code.

Allegation as per complaint petition is that co-accused

Suraj Bhsushan Singh approached the complainant to join his

institution as he has to appoint Panchayat Swasth Mitra and

Block Coordinator for which membership fees was Rs. 10,000/-,

thereafter, the complainant worked for him and collected Rs.

3,80,000/- from the different persons for their appointment and

handed over the same to co-accused Suraj Bhushan Singh in



presence of petitioner. It is further alleged that complainant prepared 100 health card of the persons, thereafter, the accused persons stopped the work taking the plea of Government order. Thereafter, the members demanded refund upon which, Rs. 1,20,000/- in cash and Rs. 65,000/- through Bank transfer in account of complainant was refunded but the remaining amount of Rs. 1,75,000/- has not been refunded.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and the complaint petition itself shows that no money was handed over to the petitioner rather the same was handed over to co-accused Suraj Bhushan Singh.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has opposed the prayer for bail and submitted that petitioners have defalcated of the money of the members.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Barh, Patna, in connection with Complaint
Case No. 199(C)/2018, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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