

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28763 of 2019

Arising Out of PS. Case No.-223 Year-2018 Thana- AANDAR District- Siwan

Vikky Kumar Singh S/o Late Sudeshwar Singh, Resident of Village- Jaijori,
P.O.- Nandpur Ambari, P.S.- Aandar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arbind Kumar Singh, Advocate
For the Informant	:	Mr. Ajay Kumar Pandey, Advocate
For the State	:	Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in Aandar P.S.
Case No.223 of 2018 registered under Sections 420, 467, 468,
471 and 504 of the Indian Penal Code.

The informant filed Complaint Case No.2010 of 2018
on the basis of which the present F.I.R. was registered. The
informant alleged that the petitioner on assurance to provide
him job on the post of L.D.C. in Bihar Legislative Assembly
Secretariat, Patna and took Rs.12 lacs on different dates. The
father of the informant also gave money after mortgaging his
land. The petitioner gave admit card and appointment letter.
When the informant went to Bihar Legislative Assembly



Secretariat, Patna on 20.02.2017, the authority took his entire papers and asked him to leave the premises failing which he would be sent to jail as the entire papers were forged and fabricated. It is further alleged that a panchayati was held. The petitioner mortgaged a piece of land of Khata No.67 in the name of father of the informant but the same land was also sold by the petitioner.

Learned counsel for the petitioner submits that the informant has not annexed any chit of paper showing any payment to the petitioner. The informant went to the Bihar Legislative Assembly Secretariat, Patna on 20.02.2017. The officer of Bihar Legislative Assembly Secretariat, Patna took all papers from the informant and disclosed that all papers were forged and fabricated even then the informant did not lodge any case. It is submitted that the informant filed the complaint case only on 26.09.2018 and this fact itself creates a serious doubt about the veracity of the contents of the complaint petition that when the informant knew about the documents to be forged and fabricated on 20.02.2017, the informant did not inform the police and kept mum for more than one and half years.

On the other hand, the learned counsel for the informant as well as learned A.P.P. vehemently opposed the



prayer for anticipatory bail of the petitioner and submitted that the petitioner being a friend of the informant, cheated the informant and took Rs.12 lacs from him on the pretext of providing job in the Bihar Legislative Assembly Secretariat, Patna.

It appears from the facts that the informant, of course, alleged that the petitioner took Rs.12 lacs from him but the informant did not produce any chit of paper to show that any payment was made to the petitioner at any time. When the informant came to know about the fake appointment letter and other documents on 20.02.2017, he neither informed the police immediately thereafter nor lodged any case. The informant lodged the case only on 26.09.2018 in the Court of learned C.J.M., Siwan.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 A.C.J.M. IX, Siwan in connection with Aandar P.S. Case No.223 of 2018 arising out of Complaint Case



No.2010 of 2018, subject to the conditions as laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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