

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32769 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

VISHWANATH PRASAD S/o Krishnadev Ray R/o village- Pokhraise,
Chako, Chhapra, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.Lalan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-08-2019 This application, for grant of anticipatory bail, arises out
of Sadar P.S. Case No. 86 of 2019, disclosing offences under
Sections 420, 406 of the Indian Penal Code.

Prosecution case is that petitioner and other accused
persons have taken Rs. Forty Three Lakhs from the informant on the
pretext of getting her daughter admitted in M.B.B.S. course and out
of said forty three lakhs, the informant has transferred Rs. Thirty
Eight Lakhs in the account of Jitendra Kumar and rest of the amount
of Rs. Five Lakh was given in cash to this petitioner.

Submission of learned counsel for the petitioner is that he
is Government Servant and at the verge of retirement and has falsely
been made accused in this case and as the son of of informant and
son of petitioner are friends and there was some transaction between
them and due to some dispute the present false case has been filed.



Learned counsel for the petitioner has filed supplementary affidavit showing some transactions between his son and the son of informant.

Heard learned A.P.P. as well as learned counsel for the informant. Earlier on the request of informant, this matter was adjourned and informant was allowed to file the reply of supplementary affidavit but he has not filed the same. However, he has submitted that this petitioner in connivance with others have cheated the informant and neither they got his daughter admitted in M.B.B.S. course nor returned the money.

Having heard both sides, considering the facts and circumstances of the case, 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, Muzaffarpur, in connection with Sadar P.S. Case No. 86 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

