

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3658 of 2020

Arising Out of PS. Case No.-1938 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Hemant Kumar Roy @ Hemant Kumar @ Hemant Mandal @ Hemant Kumar
Ray Son of Yogendra Mandal Resident of Village - Brahmgyani, P.S.-
Bhawanipur, Distt - Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shankar Kumar Son of Parmanand Mehta Resident of - Ali Nagar, Gokulpur
Panchayat, P.S.- K Nagar, Distt - Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Sinha, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The petitioner apprehends his arrest in **Purnea**

Complaint P.S. Case No. 1938 of 2018, registered for the
offence punishable under Sections 418, 419, 420, 467, 468 and
471, 504 and 34 of the Indian Penal Code.

Prosecution case is that this petitioner introduced
the complainant with his brother who is in Army, who assured
him to get qualified in the written examination of
Army on payment of 2.5 lakhs. Complainant after being
qualified in physical test gave 1.25 lakhs to the petitioner, but in
the written examination he was not qualified. When the



complainant demanded his money back, the accused persons did not return the same.

It is submitted that petitioner has falsely been implicated in this case due to dispute. Petitioner never visited the complainant. There is no chit of paper which shows that the complainant gave any money to the petitioner. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six 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 the learned **Additional Chief Judicial Magistrate Ist, Purnea** in connection with **Purnea Complaint Case No. 1938 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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