

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12656 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Prabhakar Anand @ Naulesh, Son of Rambabu Singh, Resident of Village -
Madarichak, P.S.- Makhdumpur, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate
		Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard Mr. N.K. Agrawal, learned Senior counsel
for the petitioner and Mr. Uma Shankar Prasad Singh, learned
APP for the State.

The present application has been preferred on
behalf of the petitioner for grant of bail in connection with a
case registered for the offences punishable under Sections
420/34 of the Indian Penal Code.

The prosecution case, as per the written report of
Fahim Azad Khan, SHO, Magadh Medical College Police
Station submitted to learned ACJM, Gaya, is to the effect that on
12.01.2020 at 2.00 P.M., a secret information was received that



co-accused Pintu Kumar is collecting Rs.Three lakhs from many personseach candidates on false assurance to get tgen recruited in Bihar Police. After having received such information, the informant raided the house of Dilip Paswan, who is father-in-law of Pintu Kumar and from the house of Dilip Paswan ,several original certificates of Matric and Intermediate and admit cards issued by the Central Selection Council (Police Recruitment) selection examination for appointment of the Constables were seized. It is alleged that co-accused Pintu Kumar suggested the name of the petitioner.

It is submitted by learned Senior counsel for the petitioner that the informant received information about the co-accused Pintu Kumar for running racket for forged appointment on the post of Constables in Bihar Police and not about the petitioner. The recovered articles from the house of father-in-law of Pintu Kumar do not suggest the complicity of the petitioner in the said racket. It is further submitted that the petitioner has been named in the FIR only on the statement of apprehended co-accused Pintu Kumar, who has been granted bail by Co-ordinate bench of this Court vide Cr. Misc. No. 13008 of 2020. The petitioner is languishing in custody since 13.01.2020 and investigation has already been concluded. A



statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner as per the statement of co-accused Pintu Kumar, the petitioner was also party to get the people by forged appointment letter for getting them recruited as Constable in Bihar Police.

Considering the thrust of accusation against co-accused Pintu Kumar and Dilip Paswan, the name of the petitioner sprang up on the statement of co-accused Pintu Kumar, who has been granted bail and investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Magadh Medical P.S. Case No. 10 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is



ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Magadh Medical P.S. Case No. 10 of 2020.

The learned Court below is at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

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