

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30370 of 2020

Arising Out of PS. Case No.-229 Year-2019 Thana- AMAS District- Gaya

Uday Kumar Verma, Son of Late Jagdish Bhagat, Resident of Village-
Bharaundha, Police Station- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Mrs. Pushpa Sinha, learned APP is appearing for the State as it is submitted that the brief has been allotted to her by the office of Advocate General.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Amas P.S.
Case No.229 of 2019 registered for the offence punishable



under Sections 419, 420, 467, 468, 120B/34 of the Indian Penal Code.

The complainant has alleged that she has given illegal money to secure employment in a Government School. One year later she has discovered that the appointment was false.

It is submitted by the petitioner's counsel that even as per the complaint case, the promise of employment was given by co-accused Durga Yadav and the cheques, which were received as consideration for the illegal appointment, were encashed by co-accused Rajendra Yadav. At best, the allegation against the petitioner is that when Durga Yadav was alluring the complainant to pay money for appointment, the petitioner also had appreciated the co-accused Durga Yadav. On account of such allegation, the petitioner is in custody since 05.03.2020. The petitioner has two criminal antecedents and is on bail in one of the two cases as per the detail in paragraph 3 of the petition. It is further submitted that the nature of allegations is such that payment has been made for an illegal purpose and therefore, no offence whatsoever is made out against the petitioner.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is



inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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, Sherghati, Gaya, in connection with Amas P.S. Case No.229 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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