

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68206 of 2019**

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

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Jitendra Kumar S/o Vishwanath Prasad, Resident of Village- Pokhraise,  
Chako, Chhapra, P.S.- Saraiya, O.P. Jaitpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ramadhar Shekhar  
For the Opposite Party/s : Anita Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

4      16-03-2020                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory  
bail in connection with Muzaffarpur (Sadar) P.S. Case No.86 of  
2019 registered for offence punishable under sections 420 and  
406 of the Indian Penal Code.

The notice was sent to opposite party no.2 and as  
per office note, notice in both manner has been served upon  
him, even then, he preferred to remain absent.

In such view of the matter, on the basis of  
assistance given by the learned counsel for the petitioner and  
the State, this case is being disposed of.

The informant in the present case has made



allegation against the petitioner and his associates that the informant has given Rs.43,000,00/- (forty three lakhs) to them for the purposes of obtaining admission of his daughter in the medical college in the State of Andhra Pradesh in which Rs.38,000,00 (thirty eight lakhs) by R.T.G.S. has been transferred to his account and Rs.5,00,000/- (five lakhs) has been given in cash, but the learned counsel for the petitioner submits that both the parties are in business terms and there is an exchange of money from both sides which is reflected from Annexure-2 series from where the learned counsel for the petitioner submits that the petitioner has made payment more than Rs.43,000,00/- (forty three lakhs) and has also placed reliance on the order dated 23.08.2019 passed in Cr. Misc. No.32769 of 2019 in the case of Vishwanath Prasad vs. State of Bihar.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur (Sadar) P.S. Case



No.86 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

**(Shivaji Pandey, J)**

Mahesh/-

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