

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32401 of 2020

Arising Out of PS. Case No.-75 Year-2018 Thana- ADHAOURA District- Kaimur (Bhabua)

RANDHEY SHYAM MISHRA, Son of Rameshwar Mishra Resident of
Village - Bisopur, P.S.- Kochas, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 19-05-2021 Heard Mr. Sanjay Kumar, learned counsel for

the petitioner and Mr. Rajani Kant Pandey, learned

counsel for the informant. The State is represented by

Mr. Mukesh Kumar Singh, learned APP.

The petitioner seeks bail in anticipation of his
arrest in connection with Adhaura P.S. Case No. 75 of
2018 (Reg. No. 2523 of 2018), instituted for the
offences under Sections 467, 468, 471 and 420 of
the Indian Penal Code and Section 138 of the N.I.
Act.

The accusation against the petitioner is of having
accepted Rs. 8,72,000/- from about eleven persons



for the purposes of giving them appointment. When no appointment was given to those persons, money was demanded. Three cheques were said to have been issued, which bounced.

The learned counsel for the petitioner has submitted that from the perusal of the F.I.R itself, it would appear that the petitioner and one Md. Suhail are said to have accepted money from eleven persons. What specific contribution was made by the informant and others has not been stated in the FIR.

It has further been submitted that there is a reason behind falsely implicating the petitioner. He submits that the case has been filed at the instance of Md. Suhail who is shown as an accomplice of the petitioner in the F.I.R.

It has further been submitted that the petitioner runs a computer Institute at Buxar and for the purposes of opening a branch of that Institute, the informant as well as Md. Suhail Khan, a co-accused,



approached him and they, in turn, contacted other persons for deposit of money for the purposes of handing over employment to them. When this did not fructify, the present case has been lodged.

It has been averred on behalf of the petitioner that only to save himself and Md. Suhail Khan from being prosecuted by such depositors, the present case has been filed as a clever stratagem to pass the buck on another.

While saying so, this Court has also taken note of the fact that from the premises of the informant, several appointment letters, not signed by the petitioner, were also recovered.

Considering these aspects of the matter, the petitioner was earlier granted provisional anticipatory bail.

Regard being had to the nature of accusation as well as the arguments and explanation advanced on behalf of the petitioner, the provisional bail granted to



him stands confirmed.

The petitioner shall remain on the same bail
bonds.

The petition stands disposed off.

(Ashutosh Kumar, J)

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