

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40319 of 2020**

**In
CIVIL MISCELLANEOUS JURISDICTION No.385 of 2020**

Arising Out of PS. Case No.-241 Year-2019 Thana- SOHSARAI District- Nalanda

UDAY SHANKAR MADHAV SON OF MAHENDRA PANDIT RESIDENT
OF VILLAGE - MANDI, P.S. - BEN, DISTRICT - NALANDA AT
PRESENT MOHALLA - MANGLA ASTHAN RAMCHANDARPUR IN
THE HOUSE OF SHRAWAN JEE ANUSEVAK DM OFFICE, P.S. -
LAHERI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Prasad
For the Opposite Party/s	:	Mr. A. L. Pandit
For the informant	:	Mr. Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 21-05-2021 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor representing the State.

The petitioner seeks regular bail in connection with
Sohsarai Police Station Case No. 241 of 2019, disclosing
offences under Sections 420/467/468/471/386/120-B/323/504/
506/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the informant is running a coaching institute,
known as Sri Ram Classes, at Biharsharif and it has been
alleged that all the accused persons came to his coaching
institute in the year 2017 and informed him that the vacancies



for appointment to Class-IV posts in the Civil Courts, at Biharsharif and Patna would be notified and told the informant that the accused persons would arrange jobs to the family members of the informant and his student, if they would give them a sum of Rs. 1,00,000/- per candidate and, accordingly, the informant collected a sum of Rs. 15,00,000/- from various candidates and handed the same to the petitioner and other accused persons. It has further been alleged that the accused persons thereafter supplied admit cards to the candidates, which were found to be forged on verification.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he, along with his family members, has falsely been implicated in this case. He next submits that the informant himself is running a coaching institute and the allegation that the informant has collected amount through his students, which he allegedly paid to the petitioner and others is completely false and concocted. He next submits that the petitioner has not given any cheque to the informant and the return cheque, if any, has not been produced in course of investigation. He next submits that the petitioner is in custody since 09.07.2020 and other co-accused persons have been granted anticipatory bail and regular



bail in Criminal Misc. Nos. 18798 of 2020 and 3145 of 2019. He further submits that the occurrence has allegedly taken place in the year 2017, but the First Information Report (registered on the basis of complaint petition under Section 156 (3) of the Code of Criminal Procedure, 1973) has been filed after a considerable delay, in the year 2019.

On the other hand, learned Counsel for the informant vehemently opposes the prayer for regular bail and submits that he has filed counter affidavit, in which he has produced the return cheques given by the petitioner, which were dishonoured and it will go to show that the petitioner has taken huge amount on the pretext of providing job in the Civil Courts. He further submits that the petitioner has also executed an agreement in which he has stated that Rs. 5,40,000/- have been returned to Ram Eqbal Singh and the remaining amount of Rs. 9,60,000/- would be given in the month of August, 2019.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 09.07.2020, charge sheet has been submitted against him and co-accused persons have been granted anticipatory bail and regular bail by this Court, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Nalanda, at Biharsharif, in connection with Sohsarai Police Station Case No. 241 of 2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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