

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3949 of 2021

Arising Out of PS. Case No.-173 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

=====

AMAN KUMAR @ PAPPU @ PAPPU KUMAR S/O MAHADEV YADAV
RESIDENT OF VILLAGE- RANI PATTI, P.S. KUMARKHAND,
DISTRICT MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Arvind Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Industrial Area P.S. Case No. 173 of 2019 instituted for the offences under Sections 406, 420, 467, 468, 471 and 34 of the Indian Penal Code.

A peculiar F.I.R. has been lodged alleging that while the informant was at a tea shop, he could lay his hands upon a pamphlet of new T.V.S. company with a mobile number printed on the same. When he contacted on that mobile phone, he was made to understand that he can obtain employment and for which he was required to come



to a particular place. The informant went along with his two associates, one being his brother, to meet the person who had responded on the telephone and had disclosed his name as Pankaj Kumar Ghoshal. On his asking, the informant gave him Rs. 6150/- and in several installments, further paid Rs. 19650/-. Later, aforesaid Pankaj Kumar Ghoshal stopped responding to the telephone calls of the informant. The informant grew suspicious and thereafter went to meet him. There, he learnt that aforesaid Pankaj Kumar Ghoshal along with his associates including the petitioner have conspired and cheated the informant and others.

Learned counsel for the petitioner has submitted that an extreme naivete has been displayed by the informant. The petitioner has been made accused in this case only because he happens to be the brother of one Rohit Raj @ Shashi who is a friend of aforesaid Pankaj Kumar Ghoshal.

Be that as it may, as against the petitioner, except for a vague reference of him as one of the associates of aforesaid Pankaj Kumar Ghoshal, no other accusation has



been levelled against him. Considering this aspect of the matter, some of the accused persons of this case have been granted anticipatory bail by a Bench of this Court.

Regard being had to the absolutely vague nature of accusation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Industrial Area P.S. Case No. 173 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

