

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71794 of 2021

Arising Out of PS. Case No.-480 Year-2021 Thana- DEHRI TOWN District- Rohtas

Ravi Kumar, Son of Nand Kishor Prasad Gupta @ Nand Kishor Gupta,
Resident of Village - Gali No.09, Ward no.27(Gandhi Nagar), Dehri, P.S.-
Dehri, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 2462 of 2022

Arising Out of PS. Case No.-480 Year-2021 Thana- DEHRI TOWN District- Rohtas

Vinit Kumar, Son of Shiv Narayan Ram, Resident of Village - Gandhi Nagar,
Ward no.27, P.S.- Dehri, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71794 of 2021)

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

(In CRIMINAL MISCELLANEOUS No. 2462 of 2022)

For the Petitioner/s : Md. Shahid Akhtar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

5 17-10-2022 Since both the applications arise out of from Dehri

(T) P.S. Case No. 480 of 2021, as such, they have been taken up

together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned

APP for the State.

Let the defect (s), as pointed out by the office, be

removed within a period of four weeks.

In the present case, the petitioners seek bail in



connection with Dehri (T) P.S. Case No. 480 of 2021 registered for the alleged offences under Sections 420, 467, 468, 469, 471, 472 and 120B of the Indian Penal Code.

As per prosecution case, the petitioner Vinit Kumar got a forged appointment letter issued in his favour for the post of assistant with the help of the petitioner Ravi Kumar and others.

It has been submitted on behalf of the petitioner Ravi Kumar that the petitioner has been wrongly dragged in this case without any cogent material. His name transpired during the investigation in the confessional statement of the petitioner Vinit Kumar as the person who introduced him to one Vikash Kumar, another co-accused of this case. The petitioner Vinit Kumar paid Rs.16,00,000/- (Sixteen Lakhs) to co-accused Vikas Kumar for getting the job and no amount was transferred into the account of the petitioner Ravi Kumar. The petitioner Ravi Kumar is not a beneficiary in any manner. The petitioner Ravi Kumar has neither forged any appointment letter nor used the same in any manner, so no case under Sections 467, 468 and 469 or any other sections mentioned in the FIR are applicable against him or sending the receipt nor he sent or received any forged appointment letter. The petitioner Ravi Kumar is in custody



since 30.08.2021.

It has been submitted on behalf of the petitioner Vinit Kumar that the petitioner was unemployed and his neighbour, the petitioner Ravi Kumar, introduced him to the co-accused Vikas Kumar. He paid total Rs. 16,00,000/- (Sixteen lakhs) to the co-accused Vikas Kumar, who got him issued a registered letter bearing the seal of Department of Personnel, Government of Bihar and when, after receiving the appointment letter, the petitioner went to Secretariat for verification of the said appointment letter, it was found to be fake. This petitioner was cheated by co-accused Vikas Kumar. The petitioner is in custody since 30.08.2021 and charge-sheet has been submitted. The petitioners are having clean antecedent

Learned APP opposes the prayer for bail. Learned APP submits that the petitioner Vinit Kumar is a beneficiary and for getting the job he made payment to Vikas Kumar and admitted this fact before the police. The bank statement has also been annexed with the copy of the petition, which shows the payment details. The petitioner Ravi Kumar introduced the petitioner Vinit Kumar to the co-accused Vikas Kumar.

Having regard to the submissions made hereinabove and considering the fact that the petitioner Vinit Kumar is a



direct beneficiary and got the fake appointment letter issued in his favour after making payment for the same and considering the growing trend of resorting to unlawful means to get a job, I am not inclined to enlarge the petitioner Vinit Kumar on bail.

Hence, the prayer for bail of the petitioner **Vinit Kumar** is rejected.

Further considering the fact that there is no specific allegation against the petitioner Ravi Kumar, except that he introduced the petitioner to the co-accused and further considering his period of custody and the submission of charge-sheet, the petitioner **Ravi Kumar** is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Dehri-on-Sone in connection with Dehri (T) P.S. Case No. 480 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner Ravi Kumar.
- (ii) The petitioner Ravi Kumar will remain present on each and every date fixed by the court below.



(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner Ravi Kumar will be liable to be cancelled by the court concerned.

However, the learned trial court is directed to expedite the trial and conclude the same within six months and the petitioner Vinit Kumar will be at liberty to renew his prayer for bail, if the trial is not concluded within the stipulated period.

(Arun Kumar Jha, J)

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