

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2772 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- ARA NAWADA District- Bhojpur

1. Prakash Kumar Son Of Jalendra Lal R/O - Jawahar Tola, East Railway Gumti Ara, P.S.- Ara Nawada, District- Bhojpur
2. Prabhawati Devi Wife Oif Jalendra Lal R/O - Jawahar Tola, East Railway Gumti Ara, P.S.- Ara Nawada, District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners in the name of providing government job took money from the informant and others and misappropriated the same. It is next alleged that Rs.20 Lacs was given in the account of accused Vikash Kumar and money was also given to mother



and brother of Vikash Kumar. It is next alleged that Vikash Kumar also gave a merit-list to the informant showing that he has been appointed in the government service, but the said merit-list was forged, as such, the accused persons misappropriated Rs.94 Lacs on the pretext of providing job.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is next submitted that petitioners came to be implicated merely they are brother and mother of Vikash Kumar. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the same is cryptic and vague with regard to the allegation of giving money to the petitioners as no date, time and year has been mentioned. The learned counsel next submits that it would be a travesty of justice in the event, if the anticipatory bail to the petitioners are denied as from bare perusal of the allegation, it would manifest that it were the informant and others, who were trying to seek government job from back door for which, they have given money to Vikash Kumar, which in itself is an illegality and such persons who indulged in such illegality should be dealt with firm and stern action.

The learned Additional Public Prosecutor opposes the



anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ara (Nawada) P. S. Case No.180 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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