

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4034 of 2022

Arising Out of PS. Case No.-305 Year-2021 Thana- EKANGARSARAI District- Nalanda

Ramashish Pandey, Son of Late Kameshwar Pandey, Resident of Village -
Bauri Dih, P.S.- Khudaganj, Distt.- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 08-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Ekangarsarai P.S. Case No. 305 of 2021, registered for the alleged offences under Sections 406, 420, 467, 120 B of the Indian Penal Code, Sections 4, 5 of the Prize Chits and Money Circulation Schemes (Banning), Act, 1978 and Section 3 of Bihar Protection of Interest of Depositors Act, 2002.

As per the prosecution case, the petitioner induced some persons for getting them employment and from one such



person namely Smt. Arti Kumari took an amount of Rs. 10,000/-.

Learned counsel for the petitioner submits that the allegations against this petitioner are false as the society for which the petitioner has been working is authorized to receive payment and even the payments made by Smt. Arti Kumari or other persons have been given as donation to the society. It was not a payment for getting a job. Smt. Arti Kumari has also been working in the said society as a block supervisor. The petitioner has also been working as a block supervisor, a post equivalent to one on which Smt. Arti Kumari is working and so this petitioner has no concern with any of the alleged offences for which accusation has been made. Moreover, nothing came up during investigation against this petitioner except the statement made by Smt. Arti Kumari. The charge sheet has been submitted in this case and the petitioner is in custody since 24.11.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on



furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Ekangarsarai P.S. Case No. 305 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be the close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

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

(Arun Kumar Jha, J)

V.K.Pandey/-

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