

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45390 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- JAKKANPUR District- Patna

Gopal Pathak Son Of Late Badri Pathak Resident Of Sidraul, P.S.- Namkum,
District- Ranchi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjeet Kumar
For the Opposite Party/s :	Dr. Ajeet Kumar
	Mr. Rohit Mishra
	Mr. Neeraj Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2022 Heard the learned counsel for the petitioner, the
learned counsel for the informant and the learned APP for the
State through video conferencing.

The petitioner seeks bail in connection with Patna
Jakkanpur P. S. Case No.40 of 2021, instituted for the offences
under Sections 420 and 406 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.01.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

Allegation against this petitioner is of embezzling
nearly Rs. Nine Lakhs given by the informant to the petitioner
for getting him a job in the railways.



The learned counsel for the petitioner submits that petitioner and the informant were doing business of iron parts under the partnership firm and to avoid outstanding amount to the petitioner, the informant in collusion with his brother and the local police lodged the present F.I.R. It is further submitted that petitioner is a respectable businessman and has nothing to do with alleged offence. The learned counsel without admitting makes a submission that what has been alleged in the F.I.R. is true, then the informant is also equally liable to be punished as he had given money for doing an illegal work.

The learned counsel for the informant opposes the bail application, but is not able to meet the submission of the learned counsel for the petitioner that even admitting what has been alleged in the F.I.R. is true, then the informant is equally liable to be punished for indulging in an act which was not legal.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 18.01.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned A.C.J.M. 1st, Patna in connection with Jakkanpur P. S.
Case No.40 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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