

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39730 of 2022

Arising Out of PS. Case No.-41 Year-2013 Thana- NAGAR District- Vaishali

AWADHESH KUMAR AKELA S/O LATE ADALAT SINGH Resident of
village- Gopalpur Bada Gopal, P.S.- Avtar Nagar, District- Saran (Chapra).
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406 and 420/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that Vikash Kumar assured the
informant of getting a job in ICICI Bank. Further alleges that he paid
Rs.90,000/- in the account of Vikash Kumar and rest Rs.1,60,000/- in
cash and, as such, paid Rs.2,50,000/- out of which some money was
paid to the father (petitioner) of Vikash Kumar. It is further alleged
that Vikash Kumar gave him forged letter of appointment and when
he went to the house of the accused persons he was assaulted.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case being father of Vikash Kumar. It is further submitted that even the FIR does not disclose as to what amount was handed over to the petitioner. It is next submitted that if what has been alleged in the FIR is true then even the informant is equally liable for prosecution as he was seeking appointment by back door on the strength of bribe which in itself is an offence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hajipur Town P.S. Case No. 41 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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