

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69448 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- RAJGIR District- Nalanda

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DHARMENDRA KUMAR CHOUDHARY Son of Ram Avtar Choudhary
Resident of Village - Plot No.1290, Gali No.02, Lane of Munna Near
Kapasera Bus Stand , P.s.- Kapasera, Distt.- South West Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2022 Heard.

The petitioner seeks regular bail in connection with Rajgir
P.S. Case No. 191 of 2021, registered for the offence punishable
under sections 419, 420, 465, 467, 468 and 471 of the Indian Penal
Code.

The case of the prosecution in brief is that the informant
i.e. SHO of Rajgir police station received secret information on
20.06.2021 that one person was cheating people at Ambekar Chowk
by taking a sum of Rs. 5000-10,000/- on the pretext of promising
them employment as security guards in the Zoo Safari and Nature
Safari. Thereafter, the informant along with other police personnel
are stated to have reached at the place of occurrence and caught hold
of the petitioner herein. On enquiry it transpired that the petitioner
had received some cash, matriculation certificates, Aadhar card and



photo etc. from the aspirants with a promise from provide them jobs in Zoo Safari and Nature Safari. The police had then searched three black bags belonging to the petitioner herein and some uniforms, whistle, shoes etc. were recovered, apart from recovery of a sum of Rs. 2800/-. It is alleged that two persons namely Arjun Kumar and Pawam Kumar are alleged to have given a sum of Rs.5000/- each to the petitioner, however, only a sum of Rs. 2800/- was recovered from the possession of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 21.06.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case and the allegations levelled in the present case are not made out in as much as though it has been alleged that a sum of Rs. 10,000/- was given by two persons for the purposes of providing them employment as security guards, however, only a sum of Rs. 2800/- was recovered from the possession of the petitioner. Lastly, it is stated that since the case is triable by the Magistrate, the petitioner has already been sufficiently punished on account of his long incarceration.

Per contra, Smt. Anita Kumari Singh, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case,



considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that a vague allegation has been levelled against the petitioner and the factum of payment of a sum of Rs. 10,000/- by two persons has not stood substantiated in as much as on search only a sum of Rs. 2800/- was recovered from the possession of the petitioner, apart from the fact that he is having a clean antecedent and is languishing in custody since about eight months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 191 of 2021.

(Mohit Kumar Shah, J)

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