

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69615 of 2021

Arising Out of PS. Case No.-607 Year-2021 Thana- PHULWARISHARIF District- Patna

PANKAJ KUMAR, S/o Arun Verma R/o village- Teyap, P.S.- Uphara, Distt.- Aurangabad, at present M.T.S. Micro Biology Department IPD Fourth floor AIIMS P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Alka Kumari W/o Sunil Singh R/o village- Ramnagar, P.S.- Phulwarisharif, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms Sagrika
For the Opposite Party/s	:	Mr.Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Sumant Kr. Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in a case registered for the offences under Sections 406, 420, 354 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 03.08.2021, he is a person with clean antecedent, charge-sheet has been submitted and the informant alleges that the petitioner who works as MTS in the AIIMS took Rs. 679990/- in his bank account and Rs. 2 lakh in cash from the informant in garb of providing her job but neither he provided the job nor returned the money.

The learned counsel for the petitioner submits that the



petitioner has been falsely been implicated in the case. It is submitted that the petitioner and the informant were working in AIIMS together and they had done some job in view of which said amount was dues. It is further submitted that no prudent man would accept an illegal money in his bank account and thus creates an evidence against himself and thus implicated.

Learned counsel for the informant submits that the petitioner has duped the informant by promising that he would get got her a job on account of which the said amount was given by the informant to the petitioner in lieu of job in AIIMS.

Learned counsel for the petitioner rebuts the submissions and submits that it absolutely does not stand to reason that how Section 406 and 420 is made out in the nature of allegation as alleged in the FIR, it is submitted that even presuming what had been alleged is true without accepting the same, then the informant has also committed an illegality by providing money in lieu of a job through back door.

The learned A.P.P. and learned counsel for the informant vehemently oppose the bail application.

Considering the fact the petitioner is in custody since 03.08.2021, he is a person with clean antecedent, charge-sheet has been submitted and in the nature of allegation as alleged and



taking into consideration the submissions made by learned counsel for the petitioner, 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 Court below where the case is pending in connection with Phulwari Sharif P.S. Case No. 607 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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