

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8768 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- MAIRWAN District- Siwan

SANJAY UPADHYAY @ SANJAY KUMAR UPADHYAY S/o Umesh
Upadhyay R/o village- Badka Majha, P.S.- Mairwa, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Pandey, Advocate
For the State	:	Mr.Harendra Prasad, Addl Public Prosecutor
for the complainant		Mr. AK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner, and the State
and the complainant.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 307/420/467/506 and
other allied sections of the Indian Penal Code.

As per the prosecution case, complainant gave
Rs.9.50 lacs to the petitioner for getting a job to her son in the
FCI.

Learned counsel appearing for the petitioner denies
the prosecution case. Agreement to secure appointment by
unfair means is itself unlawful and prohibited under the law and
void *ab initio* under section 23 of the Contract Act. Petitioner
claims clean antecedent.

Learned counsel for the State as well as the



complainant oppose the prayer for bail.

Considering the fact that offering a bribe for getting a job is itself illegal and an offence, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate VII, Siwan in Mairwa Police Station Case No. 158 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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