

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12269 of 2023

Arising Out of PS. Case No.-494 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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AWDHESH THAKUR @ BHIKHARI THAKUR Son of Late Ram Chandra
Thakur R/V- Andauli Ward No.-1, P.S.- Madhuapur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sarvadeo Singh
		Mr. Md. Anisur Rahman
For the Opposite Party/s :		Mr. Md. Aslam Ansari
		Mr. Raju Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 467, 468, 471, 420, 34 of the Indian Penal Code.

As per the FIR, the petitioner alongwith co-accused Girja Nand Pandey went to the house of the informant and told her that the informant and others who have passed matric/inter will be appointed in the Health Department. He assured the informant that he has engaged a number of unemployed persons in Health Department but in order to do so, they would have to pay Rs.5,00,000/- cash and some important documents. In this way, the informant and some other persons paid Rs.5 lacs to the petitioner and all of them joined and worked in the Health



Department from the period of 2016 to 2021 but did not get any payment for their work. When the informant demanded her money back from the accused persons, the co-accused only returned Rs.50,000/- cash to him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the co-accused Girja Nand Pandey is an employee of the Health Department and the petitioner has no concern with him. The co-accused Girja Nand Pandey had taken money from the informant and he has returned the amount to her and the informant has compromised the case with the co-accused. He submits that the informant was appointed in the Health Department on 06.07.2009 and thereafter, she was transferred to other place on 01.07.2015. It is further submitted that the informant's payment was not met from the year 2016 to 2021, therefore, the informant filed the present case against the petitioner. Petitioner has two criminal antecedent.

Learned APP for the State as well as learned counsel for



the informant opposed the prayer for anticipatory bail. He submits that the petitioner gave fake assurance of giving job to the informant and took money from the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Sadar P.S. Case No.494 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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