

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22508 of 2023

Arising Out of PS. Case No.-924 Year-2020 Thana- KHAGARIA District- Khagaria

1. CHUN CHUN SAH S/O- Late Rodi Sah @ Roudi Sah Village- Chandra Nagar Ranho ward no-8, Koshi College Po Ps- Khagaria mufasil Dist- Khagaria Bihar
2. Parmila Devi wife of Chun chun Sah Village- Chandra Nagar Ranho ward no-8, Koshi College Po Ps- Khagaria mufasil Dist- Khagaria Bihar
3. Banti Kumar son of Chun Chun Sah Village- Chandra Nagar Ranho ward no-8, Koshi College Po Ps- Khagaria mufasil Dist- Khagaria Bihar
4. Ajay Kumar son of Jagdish Sah Village- Jhumbha Ghati Ghat ward no-6 Po Ps- Alauli Khagaria Dist- Khagaria Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 323, 341, 379, 380, 354, 420, 406, 504, 506/34 of the Indian Penal Code.

Allegedly, petitioners are said to have taken a large amount of money in lieu of getting the informant a job in Bidyut Supply. They also gave him a fake appointment letter. Later on, it was revealed that the petitioners committed fraud with the informant and thereafter, when the informant asked for the money which he gave them for getting a job, all the accused persons came at the informant's house and started assaulting him and his family members and took away costly articles from



his house.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 is a government servant posted in Electricity Department at Purnea. Petitioner nos. 2, 3 and 4 are wife, son and *Bhagna* of petitioner no.1, respectively and they have been made accused merely because they were family members of petitioner no.1. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific allegation against petitioner nos. 2, 3 & 4, let the above named petitioner nos. 2, 3 & 4, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Khagaria (Muffasil) P.S. Case No. 924 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific allegation against petitioner no.1 that he took a large amount of money in lieu of getting the informant a job in Electricity Department, I am not inclined to enlarge petitioner no.1 on bail. The prayer for bail of the petitioner no.1 is hereby rejected.

Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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