

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20189 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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AJAY KUMAR GUPTA Son of Paras Nath Gupta R/o vill.- Banjari, Post -
Banjari, P.S.- Rohtas, Distt.- Rohtas, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikki Kumar Son of Laln Prasad Gupta R/o vill.- Ganesh Bhawan Gali, New
Tilouthu, P.S.- Dalmiya Nagar, Distt.- Rohtas, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP
For the Complainant	:	Ms. Surbhi Bhushan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 341,
504, 406, 420, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the complainant
alleges that on assurance of the petitioner he had given Rs.
Thirteen Lakhs in favour of Deepak for getting a job in the
Railways but subsequently he was cheated as he did not get a
job in the Railways and when he demanded his money back, the
petitioner and others started abusing and quarreling with him.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it is not the case of the complainant that it was petitioner who had received the money rather it has been alleged that on assurance of petitioner, the complainant had given money to one Deepak. It is further submitted that even presuming what has been alleged is true without admitting then the Court would not perpetuate an illegality as the complainant even was indulging in an act which was illegal as he was seeking appointment in the Railways through the backdoor.

Learned A.P.P. for the State and the learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that money was not paid to the petitioner and that the complainant himself was indulging in an illegal act by seeking appointment through backdoor.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Dehri Rohtas Complaint Case No. 200 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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