

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38347 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. ARUN PASWAN Son of Late Tilak Paswan Resident of village - Parora, P.S. - Cheriya Bariyapur (Chhorahi O.P), Distt. - Begusarai
2. RINKU KUMARI Wife of Arun Paswan Resident of village - Parora, P.S. - Cheriya Bariyapur (Chhorahi O.P), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471, 472, 506, 120(b) of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. The allegation against the petitioners, along with other named co-accused persons, is to cheat the informant for a sum of Rs. 11,59,350/- for providing job of Group 'D' in the Indian Railways.

4. Learned counsel appearing for the petitioners submits that the informant voluntarily parted with the alleged amount for securing Government job through unfair means and as such, no offence under Section 420 of the Indian Penal Code



is made out and even as per allegation, the parties have entered into an agreement for an illegal purpose. Petitioners have got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Begusarai in connection with Khodawandpur (Chhourahi O.P.) P. S. Case No. 10 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

6. However, in view of the F.I.R. that since some amount has been received in the account of petitioner No. 2, **petitioner No. 2 is directed to refund Rs. 50,000/- (fifty thousand) through Bank Draft to the informant at the time of furnishing bail-bond.**

(Prabhat Kumar Singh, J)

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