

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53607 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Pankaj Kumar Son Of Pramod Sah R/O Village- Kashichak, P.S.- Piri Bazar,
Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the office,
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Piribazar P.S. Case No. 121 of 2021 registered
for the alleged offences under Sections 341, 323, 406, 419, 420,
467, 468, 471, 504, 506 and 34 of the Indian Penal Code.

As per prosecution case, petitioner and other co-
accused persons duped the informant of Rs. 15,03,600/- for
procuring appointment of the son of the informant. When the
husband and the son of the informant went to the house of the
petitioner and co-accused persons, they assaulted them and
lodged a false case against them. The petitioner and other co-



accused persons gave cheques without having any money in their bank account. They also gave fraudulent joining letter and medical certificate in the name of the son of the informant for his job in Railways.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case and he did not cheat anyone or threatened anyone. No money was taken by the petitioner and allegation is specific against Pramod Sah, who is said to have executed an agreement showing receipt of money by him. The co-accused Pramod Sah along with other co-accused persons, namely, Pradip Kumar and Pappu Kumar have been granted bail by a Coordinate Bench of this Court vide order dated 12.09.2022 passed in Cr. Misc. No. 5346 of 2022. The case of the petitioner is placed on similar footing as with other co-accused persons. The petitioner is in custody since 18.05.2022 and charge sheet has been submitted. The petitioner has got no criminal history.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that while granting bail to other co-accused persons the Coordinate Bench has mentioned that specific allegation is against this petitioner and all the transaction took place between this petitioner and the informant.



Having regard to the facts and circumstances and submission made on behalf of the parties and considering the nature of allegation which shows for some wrongful act money has been paid by the informant and also considering the clean antecedent of the petitioner along with the submission of charge sheet and period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Piribazar P.S. Case No. 121 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be



cancelled by the court concerned.

(Arun Kumar Jha, J)

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