

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8489 of 2024

Arising Out of PS. Case No.-443 Year-2023 Thana- PATNA CITY CHOWK District- Patna

Rakesh Kumar Yadav @ Rakesh Kumar, aged about 32 years, Male, Son of Nawal Kishore Pd. Yadav, Resident of Village-Bala Bigha, Narauli, P.S.- Mahkar, District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 06-05-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Chowk P.S. Case No. 443 of 2023 dated 29.07.2023 registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the I.P.C.

3. As per the prosecution case, the informant and his friend Abhishek Raj had applied form for appointment to the post of peon in the civil courts for that the co-accused Munna Kumar accompanied Rakesh Kumar (petitioner) and went to the grocery shop of the informant's friend Abhishek Raj where the informant and his friend Abhishek Raj paid Rs. 3,00,000/- each through Google Pay App and in the account of Rakesh Kumar (petitioner) and his friend as asked by the co-accused Munna



Kumar. It is further alleged that in the month of February, the informant and his friend received Identity Card and appointment letter of Patna High Court through post which were prepared by the petitioner and the co-accused and when they went to the Patna High Court alongwith the aforesaid documents where on the Gate No. 4, one male and one female took their signatures and thumb impressions and said that it will take some more time, thereafter, they can join their duty. They believe that they have been cheated by the petitioner and the co-accused Munna Kumar in the name of providing job. Thereafter, they asked to return their money but the petitioner and the co-accused refused to return the said money.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was standing at the shop of the co-accused Munna Kumar where he asked the petitioner to provide his account and for the same some money will be provided by the government scheme and on different dates the petitioner received Rs. 1,45,000/- in his account. Thereafter, the co-accused Munna Kumar forcibly took the said amount Rs. 1,45,000/- from the petitioner. The petitioner is also a job seeker. The petitioner has clean antecedent as stated in



paragraph no. 3 of the bail petition. He is in custody in this case since 30.07.2023.

5. Learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna in connection with Chowk P.S. Case No. 443 of 2023 with further condition:-

- (i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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