

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33498 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Amitabh Bachchan, Son Of Vindeshwari Paswan Resident Of Village- Santar,
Ward No. 13, Ps And Dist- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aslam Ansari Son Of Md. Salauddin Resident Of Village- Jhundo, Ps-
Khera, Dist- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajen Sahay, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 05 of 2024 arising out of Complaint Case No. 531 (C) of 2023 registered for the alleged offences under Sections 419, 420, 467, 468, 504, 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner took Rs. 1,00,000/- from the informant for procuring a certificate of B.Ed. from Chhatrapati Shahu Ji Maharaj University, Kanpur and also took Rs. 2,00,000/- from two other co-villagers of the informant for the same purpose. Further allegation is that the



petitioner is that he provided them forged certificates and did not return the money even when this fact was pointed out to him.

04. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence is said to be of 2017 whereas the complaint has been lodged on 02.12.2023 on completely false and concocted grounds. Learned counsel further submits that from the facts of the FIR, it is evident that money was paid for illegal purpose and the complainant himself is at fault. However, the petitioner denies taking any money from the complainant/informant and no cogent material has been brought on record showing any transaction between the petitioner and the complainant to link the petitioner with any wrongful act. The petitioner is a school teacher in Lakhisarai district since 2010 and he is having clean antecedent. Learned counsel further submits that co-accused Bijay Kuamr Das has been granted anticipatory bail by this Court vide order dated 01.05.2024 passed in Criminal Misc. No. 23621 of 2024.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner induced to complainant in making the payment and supplied him with forged certificate.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and lack of substantive material and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai P.S. Case No. 05 of 2024, arising out of Complaint Case No. 531 (C) of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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