

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26614 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sagar Kumar Son of Shiv Kumar Resident of Near Shivala Mandir, Hemra Chowk, Ward-20, Matihani Road, Begusarai, P.S.- Begusarai, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Kumar Son of Late Pramod Kumar Verma Resident of Khanjahanpur, P.S.- Cheriya Bariyarpur, Dist.- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Pranoy Kumar, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP
For Opposite Party No. 2:	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 341, 342, 323, 379, 504, 420, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that this petitioner, along with other accused persons, on the pretext of providing job in Aanganwadi, took a sum of Rs. 3,00,000/- from the complainant. However, the accused persons did not provide the job and also refused to return the money.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from perusal of the complaint



petition it is apparent that entire money was paid to co-accused Arjun Kumar Chaudhary and not a single penny was paid to this petitioner. Moreover, the complainant himself paid the amount to secure government job, which itself is unlawful and he cannot claim to have been cheated. It is further submitted that similarly situated co-accused person, namely Arvind Kumar, having similar allegations, has already been granted the privilege of anticipatory bail vide order dated 22.05.2024 passed in Cr. Misc. No. 32793 of 2024.

5. Learned A.P.P. for the State and learned counsel for the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he along with other accused persons took three lakh rupees from the complainant in lieu of providing job.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that similarly situated co-accused person has already been granted anticipatory bail, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner



be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai, in connection with Complaint Case No. 136C of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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