

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45815 of 2024

Arising Out of PS. Case No.-761 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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Brajesh Kumar Dubey S/o Bhushan Dubey @ Bhusham Dubey R/o vill -
Asahani, P.S. - Rasulpur, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Thakur S/o Nandlal Thakur R/o vill - Bathauna, P.s - Siswan, Distt.
- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Adv.
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the O.P. No. 2	:	Ms. Chhaya Kirti, Adv.
		Mr. Danish Sami. Adv.
		Mr. Alok Kumar, Adv.
		Mr. Saket Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Opposite Party
No. 2.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 761 of 2023 registered under Sections 323,
341, 342, 384, 406, 420, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that this
petitioner is said to have taken Rs. 3 lakhs for providing job to
the complainant/opposite party no. 2.

4. Learned counsel appearing for the petitioner denies the
allegation and submits that the complainant/opposite party no. 2



voluntarily parted with the money to secure appointment through unfair means which is itself illegal and an offence. Any agreement or contract for unlawful purpose is void. He next submits that complainant, voluntarily parted with money for an illegal purpose, cannot be allowed to urge that he has been cheated. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the Opposite Party No. 2 vehemently opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Complaint Case No. 761 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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