

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62287 of 2024

Arising Out of PS. Case No.-129 Year-2022 Thana- GURARU District- Gaya

Ramashish paswan son of Late Jathu Paswan village- Jamlapur, ps- Guraru,
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rampravesh Nath Tiwari

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Guraru Police Station Case No. 129 of 2022, dated 15.07.2022, disclosing offences under Sections 406/420 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant is a NGO in the name and style of Kanya Vivah & Vikash Society engaged in preventing child marriage, dowry and foeticide and to encourage group marriage. The petitioner was appointed as Surveyor by the NGO with the responsibility to collect membership fee of Rs. 100/- and/or Rs. 250/- to be renewed after every three months. The petitioner was removed from his



post in the year 2016. Despite, his removal he continued to collect the money from the innocent villagers without giving any receipt and by this process, for the last six years, he collected a sum of Rs. 50,000/- from Village Mohammadpur and a sum of Rs. 25,000/- from Village Pathra. The inquiry by the informant-NGO is still going on.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused with oblique motive after terminating him from the post in the year 2016. He next submits that the present First Information Report has been lodged after a much delay in the year 2022. He further submits that without prejudice to his right and contention, the petitioner is ready to pay a sum of Rs. 75,000/- by way of bank draft in favour of the informant-NGO.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is ready to refund the sum of Rs. 75,000/- in favour of the informant-NGO, I am inclined to grant the petitioner privilege of anticipatory bail, subject to payment of Rs. 75,000/- in favour of concerned NGO.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Gaya, in connection with Guraru Police Station Case No. 129 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that petitioner shall pay a sum of Rs. 75,000/- by way of demand draft in favour of NGO within four weeks and at the time of surrender he shall produce the acknowledgment receipt granted by the NGO in the concerned court.

(Anil Kumar Sinha, J)

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