

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65981 of 2023

Arising Out of PS. Case No.-485 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

-
1. MANOJ KUMAR @ MANOJ YADAV Son of Baburam Yadav R/o Vill-
Tejapur Lohra P.S.-Atouraliya Disst-Ajamgarh. U.P. All Resident of Village-
Khalispur, P.S.-Khalispur, District-Ajamgarh, U.P.
 2. CHANDRAPRAKASH CHOUHAN Son of Late Bale Chouhan All
Resident of Village-Khalispur, P.S.-Khalispur, District-Ajamgarh, U.P.
- Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. Srawan Kumar Sukla S/O Govardhan Sukla R/O Village- Khaira Kalu, P.S-
Babhua, Distt.- Kaimur.
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP
Mr. Rakesh Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-04-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
420/34 of the Indian Penal Code.

3. The learned counsel for the petitioners submit that
petitioners have been falsely implicated in the instant case and
in sum and substance the allegation is that the informant gave
Rs.5,00,000/- to the petitioners for getting a Government job for
his younger brother, but the brother did not get a Government
job as such, the petitioners committed cheating.



4. The learned counsel submits that from bare perusal of the complaint case it would manifest that the same does not inspire confidence as it has been alleged that an amount of Rs.5,00,000/- in cash was given to the petitioners for getting a Government job for the younger brother of the complainant. It is further submitted that it absolutely does not stand to reason that the complainant would have paid Rs.5,00,000/- in cash. It is also submitted that even presuming what has been alleged is true without admitting then the allegation is that complainant had given Rs.5,00,000/- for getting his brother appointed through backdoor i.e. the amount was given for committing an illegal act. It is next submitted that the court never perpetuate an illegality, but then at the cost of repetition submits that petitioners has been falsely implicated as there is no proof of any payment made to the petitioners.

5. The learned APP along with learned counsel appearing on behalf of O.P. No.2 opposes the anticipatory bail application, but then is not in a position to rebut the submission of the learned counsel for the petitioners that the amount was given for committing an illegal act.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua Complaint Case No.485 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

