

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69170 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- BARAULI District- Gopalganj

MUNNA CHOUDHARY @ RABISH KUMAR @ RABISH KUMAR
YADAV son of Late Kamal Choudhary @ Late Kamal Prasad Yadav Village-
Bakhraur Pachpatia Ps- Barauli Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smriti Kumari wife of Vikash Kumar Gupta, D/o- Rampravesh Sah Village-
Bakhraur Pachpatia Ps- Barauli Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-02-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 420, 467, 406, 504 and 354 of the Indian Penal Code.

3. As per the prosecution case, petitioner is said to have taken Rs. 3 lakh 80 thousand for providing job to the daughter of the complainant.

4. Learned counsel appearing for the petitioner denies the allegation and submits that the complainant 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.

5. Learned counsel for the State and Complainant vehemently opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Chief Judicial Magistrate , Gopalganj in connection with Barauli P.S. case No. 183 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/-

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

