

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78140 of 2023

Arising Out of PS. Case No.-713 Year-2022 Thana- SAHARSA SADAR District- Saharsa

1. Nirmal Kumar Yadav @ Gopi Yadav @ Nirmal Kumar Son of Late Narsingh Chandra Yadav R/o Vill - Jajahat Sawaila Ward No.09, P.S. - Singheshwar, Dist. - Madhepura.
2. Abhinaw Kumar Son of Nirmal Kumar Yadav @ Gopi Yadav @ Nirmal Kumar R/o Vill - Jajahat Sawaila Ward No.09, P.S. - Singheshwar, Dist. - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ekanand Kumar Son of Janardan Yadav R/o Vill - Matha, P.O.+P.S. - Salkhua, Dist. - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar Singh, Advocate.
For the State	:	Mr. Kumar Veerendra Narayan, APP.
For the O.P. No.2	:	Ms. Rashmi Jha, Advocate.
	:	Mr. Hemant Ray, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 17-05-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in connection with Saharsa P.S. Case No.713 of 2022 instituted under Sections 341, 323, 406, 420, 504, 506, 34 of the Indian Penal Code and Section 138 of N.I. Act.

3. As per the prosecution case, the allegation is that all the F.I.R. named accused persons have cheated the informant in



the name of providing government job.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case by the informant with ulterior motive. He further submits that as per the allegation the informant had provided the alleged money for getting government job is itself an illegal act. Learned counsel submits that there is no specific allegation against the petitioners and the co-accused Ashish Kumar against which the allegation is that the money was given in his account has already been granted regular bail by this Court vide order dated 10.01.2024 passed in Cr. Misc. No.81969 of 2023. He further submits that petitioners have no criminal antecedent and they undertake to cooperate in the investigation.

5. Learned A.P.P. for the State as well as learned counsel for the opposite party no.2 have opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the



learned Chief Judicial Magistrate, Saharsa in connection with
Saharsa P.S. Case No.713 of 2022, subject to the conditions laid
down in Section 438(2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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