

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70699 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- MUFFASIL District- Aurangabad

Awadhesh Ram @ Mukesh Kumar @ Mukesh Kumar Singh Son Of Munsi
Ram Resident Of Village- Haribari, P.S.- Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha

For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner along with other co-accused persons have taken Rs. 9,60,000/- from the informant on the pretext of offering him job and provided him forged and fabricated joining letter using the signature of Chief Secretary.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the informant has also made one Mritunjay Mishra @ Machhaliya Baba accused in the present FIR, on the other hand, he filed a compromise application on 04.03.2023 and on the basis of compromise application, Mritunjay Mishra has been granted bail by learned C.J.M., Aurangabad. He further submits that one of the co-accused have been granted anticipatory by a Co-ordinate Bench of this Court vide order dated 01.11.2023 passed in Cr. Misc. No. 69252 of 2023. He also relies upon the judgment of this Court passed in the case of *Vijay Sharma v. State of Bihar* (Cr. Misc. No. 9428 of 2006) reported in 2011(1) PLJR 780. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the judgment of this Court passed in the case of *Vijay Sharma* (supra), let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending/successor Court in connection with Aurangabad
(Muffasil) P.S. Case No. 67 of 2023, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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

