

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77951 of 2024

Arising Out of PS. Case No.-1028 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Babloo Kumar @ Bablu Kumar Son of Sri Sita Prasad @ Sita Saran Prasad
Resident of Village- Ranubigha, P.S.- Ben, P.O.- Gulsaranpur, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikky Singh Son of Brij Nandan Singh Resident of Village- Fatuha, P.S.-
Fatuha, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 26-11-2024 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 Complaint Case No. 1028 (C) of 2023, disclosing
offences under Sections 323/504/506/417/420 of the
Indian Penal Code.
3. The prosecution case, as per the allegation made in the
complaint, is that the petitioner, along with co-accused
Shalini Kumari, took a sum of Rs. 10 Lakh from the
complainant with an assurance that they would ensure
training and job of a teacher to the wife of the
complainant, namely, Sunita Kumari.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as an after thought. He next submits that undertaking, dated 22.11.2022, has been given by the co-accused Shalini Kumari, which is part of the complaint, stating therein, that she has taken a sum of Rs. 10 Lakh from complainant Vikky Singh, who happens to be the relative of her husband with assurance that she would return Rs. 10 Lakh, if she fails to arrange job of teacher for complainant's wife. In the said undertaking, the name of the petitioner is not there that he had taken the amount, along with Shalini Kumari. He further submits that a legal notice, dated 28.06.2023, was sent by the complainant to Shalini Kumari and other accused persons and name of the petitioner was missing in the said legal notice. The legal notice is also part of the complaint, accordingly, the submission is that the petitioner has been dragged in this case as an after thought by the complainant.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that in the undertaking, executed by the co-accused, and in legal notice, name of the petitioner



is not appearing, I am inclined to grant the petitioner privilege of anticipatory bail.

- 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 four 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 Judicial Magistrate 1st Class, Patna City, Patna, in connection with Complaint Case No. 1028 (C) of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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