

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23797 of 2025

Arising Out of PS. Case No.-1239 Year-2022 Thana- SHERGHATI District- Gaya

=====

Anjit Kumar Das @ Surendra Das S/O Faguni Das Resident of Village-
Samda, P.S- Gurua, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Kumar, D/o Gaya Ravidas, R/o village - Kajarsot, P.S. - Sherghati,
District- Gaya

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Sinha, Advocate
For the Informant	:	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-06-2025 Heard Mr. Sudhir Kumar Sinha, learned counsel for

the petitioner, Mr. Gajendra Kumar Singh, learned counsel for

the Informant and Mr. Surendra Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sherghati P.S. Case No. 1239 of 2022, F.I.R.
dated 27.12.2022 for the offences punishable under Sections
406, 420/34 of Indian Penal Code.

3. As per the First Information Report, the allegation
against the petitioner is that he along with other co-accused
person cheated a sum of Rs. 2,94,000/- on account of getting
final selection in Sub-Inspector Recruitment, 2022 from the



informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is the father of the co-accused person, namely, Animish Kumar. It appears from the FIR that the son of the petitioner received Rs. 1,25,000 in cash, after signing an agreement paper and also received Rs. 1,69,000/- through online transaction in the name of final selection in Sub-Inspector Recruitment, 2022, from the informant. From bare perusal of the FIR, it appears that the petitioner did not receive any amount from the informant and son of the petitioner received the aforesaid amount and the petitioner has no concern at all with the present occurrence.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with other co-accused person have cheated the informant and they have received Rs. 2,94,000/- from the informant on account of getting final selection in Sub-Inspector Recruitment, 2022.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he has not received any



amount from the informant and he has been made accused merely on the basis that he is the father of the co-accused person, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 A.C.J.M-1st, Sherghati, Gaya in connection with Sherghati P.S. Case No. 1239 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

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

