

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57294 of 2025

Arising Out of PS. Case No.-606 Year-2022 Thana- COMPLAINT CASE - BARH District-
Patna

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Vikash Kumar S/o Ashok Lal Gupta @ Ashok Kumar Lal R/o Village-Karjan,
P.S.-Athmalgola, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guddu Kumar S/O Amardeep Das R/O Vill.- Padiachak, P.S.- NTPC Barh,
Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No.606(C) of 2022, wherein cognizance
has been taken for the offences punishable under Sections 323,
341 and 420/34 of the Indian Penal Code.

3. It is alleged that the petitioner along with other
co-accused persons in collusion with each other, induced the
complainant and witnesses to deliver Rs.11 lac for getting job in
Railway. However, till date, the complainant has neither been
provided job nor they have returned money; hence, the present
complaint.



4. Learned Advocate for the petitioner taking this Court through the complaint petition has submitted that there is no allegation as to on which date and how much amount was given to the petitioner. Save and except the allegation that the petitioner along with others have extracted money by inducing the complainant, there is no allegation as to how the money was transferred in the account of the petitioner or any of the accused persons. The solemn affirmation of the complainant also does not inspire confidence, as it lacks the dates and events, besides serious contradiction.

5. Learned Advocate for the petitioner further submitted that very allegation of the petitioner does not stand corroborated for the simple reason that the petitioner is neither any authority in the Railway nor any concern with any of the officers of the Railway and, as such, the pretext of providing job in Railway is nothing but an oblique move. Extending money to any of the person for any wrongful act and/or undue advantage would itself constitute an offence, casting doubt over the *bonafide* of that person. Moreover, the petitioner has also subjected to institution of two FIRs by the group of the complainant, one by another.

6. On the other hand, learned counsel for the State



opposed the bail application and submitted that the criminal antecedent of the petitioner clearly suggests his involvement in identical nature of crime.

7. Regard being had to the submissions made on behalf of the parties and taking note of the omnibus allegation levelled against the accused persons, including the petitioner and the submissions that the money was transferred for unlawful purpose, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Barh, Patna in connection with Complaint Case No.606(C) of 2022, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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