

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55195 of 2024

Arising Out of PS. Case No.-2588 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Shashi Bhushan Kumar @ Shashi Bhushan @ Santosh Yadav @ Santosh Kumar S/o- Ramprit Yadav Moh- Gandak colony, Bettiah Ps- Bettiah Mufasil Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmawati Devi wife of Sri Rajesh Prasad Village- Kesariya, Ps- Shikarpur, Dist- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

7 27-02-2025 Heard learned counsel for the petitioner and learned APP for the State. Petitioner and complainant are present in the Chambers proceedings.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Complaint Case No. 2588 of 2023 instituted for the offence punishable under Section 420 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner fraudulently taken Rs. 5 lac and 57 thousand through UPI and 2 lac and 30 thousand in cash on the pretext of providing job to the complainant's son in N.T.P.C. from the complainant. It is further



alleged that neither the petitioner has provided any job to her son nor returned money to the complainant till date. On asking to return the money, petitioner used filthy language with the complainant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. In the present case, O.P. no. 2 entered into an oral agreement for wrongful gain by way of getting job in NTPC on payment of illegal gratification, cannot be said to be legal and and payment of consideration amount is unlawful and void.

5. It is further submitted by learned counsel for the petitioner that petitioner is ready to pay Rs. 3 lac in five equal installments. First installment will be paid to the complainant at the time of filing bail bond and rest amount will be paid in four equal installments in every consecutive month subject to condition that complainant will furnish account number to the petitioner at the earliest.

7. Having heard learned counsel for the parties and considering the terms and conditions and assurance of payment as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court



below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 2588 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah subject to the conditions as laid down under section 438(2) of the Cr.P.C.

8. Petitioner will file an undertaking before the concerned court regarding aforesaid payment of amount within aforesaid time.

(S. B. Pd. Singh, J)

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