

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58224 of 2024

Arising Out of PS. Case No.-949 Year-2022 Thana- MUNGER COMPLAINT CASE
District- Munger

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Pawan Kumar S/o Umesh Mandal R/o Vill- Ghanshyamchak, P.S. Sanhoula,
Distt- Bhagalpur. Petitioner/s

Versus

1. The State of Bihar.
2. Rajendra Prasad, S/o Late Baleshwar Das R/o vill - Devghara, P.S. - Medni Chouki, Distt. - Lakhisarai, at present R/o Mohalla - Gandhi tola, (Rampur), P.S. - Jamalpur, Distt. - Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

9 21-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Complaint Case No. 949C/2022, registered for the offence

under Sections 420, 467, 468, 471, 120B/34 of the Indian

Penal Code. Later on cognizance was taken under Sections

420, 467, 471, 120B/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and

is in custody since 09.10.2023.

4. The allegation against the petitioner is to commit

fraud by inducing others to believe that they would get

government job of group -D post in different government



departments like forest department, Army and CCL against Rs. 4 lacs per candidates. It is alleged that petitioner alongwith his other associates influenced almost 26 candidates for said offer.

5. Learned counsel appearing on behalf of the petitioner submitted that from the narration of complaint itself, it transpires that the complainant himself indulged in alleged illegal work to get government job through illegal means accepting bribe. It is submitted that admittedly the cash in issue was collected by the complainant himself and, thereafter, to shift burden over petitioner on false pretext that he advance sum of Rs. 43 lacs in cash to the petitioner and deposited Rs. 38,82,999/- in his account and in account of his friend, namely Animesh Kumar. It is submitted that the petitioner was not involved in any recruitment process or interview or medical examination of any candidate. While concluding the argument, it is submitted that with same allegation co-accused Kunal Chakrabarty @ Kunal Chakbarty @ Kunal Chakrabaty granted bail by one of the learned co-ordinate Bench of this Court, considering the period of



custody after framing of charge through Cr. Misc. No. 60866 of 2024 dated 28.05.2025. It is pointed out that till date no charge was framed in this matter and, therefore, petitioner remains in custody for about two years as he is in custody since 09.10.2023. It is also submitted that no private complaint from any of the candidate was lodged in this connection who stated to be cheated by the petitioner. Petitioner claims clean antecedent.

6. It is submitted by learned APP that the specific allegation to commit fraud is available against petitioner to cheat innocence people but fairly conceded that no private complaint in this regard was filed against petitioner.

7. Despite of service of notice through S.P., Munger and well aware about present pending proceeding, complainant failed to join the proceedings intentionally.

8. Considering the aforesaid factual submissions and by taking note of progress of trial, where even charge could not frame by the learned trial court and as this petitioner is in custody since 09.10.2023 i.e. about two years, accordingly, petitioner above named, is directed to be



released on bail in connection with Complaint Case No. 949C/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Munger/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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