

Arising Out of PS. Case No.-681 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Sandip Kumar Gautam , Advocate
For the Opposite Party/s : Mr. Satyendra Prasad , APP
For the informant : Mr. Rakesh Kumar Sharma, Advocate

2 21-01-2025 Heard learned counsel for the petitioners,
informant and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 384, 386, 406, 420, 467, 468 , 471 , 472, 120 (B) and 34 of the Indian Penal Code and under Sections 72, 72 (A) , 73 and 74 of IT Act. of the Indian Penal Code .

3 . As per the prosecution case , complainant who is owner of Baibhavi Earth Green was approached by the co-accused Vikash Kumar who promised that he would help him to get tender in Education Department and earn lot of money . In



Consideration of the said proposal, the complainant deposited Rs. 26,75,000/- in the name of Ryan Metal owned by the accused. Later, Rs. 26,00,000/- was further paid to the accused persons. It is further alleged that Rs. 5,00,000/- was paid to the account co-accused Bipin Kumar and Rs. 15,00,000/- was given to him. Rs. 10,00,000/- was deosited in the account of Sumitra Kanchan and Rs. 3,80,000/- cash was deposited in the account of Ryan Metal which was later transferred to Sandeep Kumar Suman . The accused persons also took digital signature of the complainant but the tendor was not awarded to the complainant and his money was used deceitfully as bank guarantee by the accused persons. When the complainant demanded repayment, the co-accused Vikash Kumar threatened him with dire consequences. However, when the complainant reported the matter then the co-accused Vikash Kumar gave him a cheque of Rs. 77,05,000/- which got bounced on 24.04.2024 . It is further alleged that father of co-accused called the complainant and forcefully obtained his signature on 3 stamp papers worth Rs. 1,000/- . On the basis of these facts complainant lodged a present case against all the accused persons.

4. It is submitted on behalf of the petitioners that the petitioners are innocent and has falsely been implicated in this



case . As a matter of fact, petitioner is account clerk in the account section , Education Department, Bihar Rastra Bhasha Parisahd Saidpur Campus Patna and he has got no concern with the tender work going in the department for building construction . The tender work of the building construction in his department does not comes under the job profile of the petitioner. From bare perusal of the complaint petition , it is evident that the complainant and co-accused Vikash Kunal are cousin brother and it was co-accused Vikash Kunal who introduced the complainant with petitioner (Sanjay Paswan) and Bipin Kumar. In the entire complaint petition , there is no whisper that any amount was transferred in the account of the petitioner. It is further submitted that complainant used to visit the office on regular basis to meet co-accused Vikash Kunal and Bipin Kumar and some altercation took place place among them and when this petitioner had intervened and tried to pacify the matter, this false and concocted case has been lodged against this petitioner. Petitioner claims clean antecedent.

5 . Learned counsel for the State and informant opposed the bail petition and submitted that petitioner in connivance with the co-accused persons under well planned conspiracy misappropriated huge amount of the complainant.



6 Considering the fact that petitioner has not received a single penny in his account and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged 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 the learned Judicial Magistrate 1st Class Begusarai in connection with Complaint Case No. 681 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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