

ORDER

Hare Ram Maharaj , 46 years, S/o Maharaj Mithlesh Kumar.....Petitioner.
Vs

1. State of Bihar

2. Vijay Kumar Sah s/o Late Deep Narayan Sah.....O.Ps.

ORDER

09.06.2026 An application for grant of anticipatory bail filed on behalf of the accused petitioner namely **Hare Ram Maharaj**, who is apprehending his arrest in connection with **Mojahidpur(Babarganj) P.S. Case No.-216/2019** relating to offences punishable u/Ss 467,468,471,420,406,34 of the Indian Penal Code pending in the learned Court of Smt. Sadaf Mustafa J.M.F.C, Bhagalpur, is put up and moved.

Heard Mr. Rishikesh Chaudhary, learned counsel for the petitioner as well as Mr. B.L. Yadav, learned Addl. P.P. for the State assisted with informant himself in person.

The prosecution case , in short, is that accused Jay Krishna Pandey and his son Ritu Kumar cheated the informant to the tune of five lakh rupees in the name of providing job to the informant for the post of Assistant Accountant in O.N.G.C. The informant deposited Rs. 97,000/- to the account of petitioner wife Sulekha Sharma and also paid cash Rs. 3,000/- to her and handed over two cheques, each for Rs. 50,000/-, to one Bhaskar Kumar Mishra on the instruction of Jay Krishna Pandey and his son Ritu Pandey. It is stated that after getting joining letter, the informant again deposited Rs. 30,000 to the account of one Vivek Kumar Dubey and paid Rs. 2,70,000/- to Jay Krishna Pandey and his son Ritu Pandey in cash. It is alleged that after getting appointment letter and identity card when informant reported to Paradip for training, the officers termed those documents as forged one whereafter informant contacted the accused persons on which accused Bhaskar Kumar Mishra handed over a cheque for Rs. 45,000 /- to informant but said cheque got dishonoured. Thereafter, legal notice was sent to accused persons whereafter accused petitioner agreed, in writing, to pay Rs. 2,25,000/- to informant but didn't sign over the agreement.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that petitioner has already returned back Rs. 1,00,000/- to the informant which he had taken. He further submitted that no notice u/S 35(3) of the B.N.S.S. has been issued to this petitioner by the police. It is lastly submitted that co-accused Ritu Kumar Pandey has been granted anticipatory

bail by this court vide A.B.P. no. 1944 of 2020 and prayed to extend the privileges of anticipatory bail to this petitioner on the ground of parity and absence of criminal antecedent.

On the other hand, learned Addl. P.P. for the State assisted with informant vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

Heard both sides and perused the case record. The accused petitioner and others are named in the F.I.R. and carry allegation of cheating the informant to the tune of Rs. 5,00,000/- in the name of providing job and also handed over appointment letter but the same turned out to be forged one. During the course of hearing of this A.B.P., the informant of this case appeared in person and filed a photocopy of agreement, drawn on a stamp paper, with signature of informant in which it is mentioned that accused petitioner will pay Rs. 2,25,000/- to the informant till 31-03-2019 and thereafter informant will have no claim or grievance against the accused petitioner but this agreement doesn't bear signature of accused petitioner. On the other hand, accused petitioner has filed a copy of transaction showing Rs. 1,00,000/- having been paid to informant from the account of petitioner's wife Sulekha Sharma on 16-04-2026 which is admitted by the informant before this court but he further claims Rs. 1,25,000/- as per agreement. The informant of this case has also filed copy of a petition, bearing his signature, in which he acknowledged receiving Rs. 1,00,000 from accused petitioner and gave clean chit to petitioner's wife which is also mentioned in para 145 of the case diary. In short, petitioner has returned back the amount which he had taken from the informant. Record reveals that prayer for regular bail of accused Jay Krishna Pandey has been considered by this court vide B.P. no. 869/2020 and prayer for anticipatory bail of accused Ritu Kumar Pandey has been considered by this court vide A.B.P. no. 1944 of 2020. Though the occurrence took place in the year 2016 and legal notices were sent to accused persons on 12-10-2018 but the matter was reported to the police in August 2019 and there is no explanation for this long delay. Moreover, accused petitioner doesn't bear any criminal antecedent as claimed by his learned Counsel in para 3 of the bail petition. Under these circumstances, this Court is inclined to extend the privileges of anticipatory bail to this petitioner.

Hence, the prayer for grant of anticipatory bail made on behalf of the

accused petitioner namely ***Hare Ram Maharaj*** is hereby ***allowed***. It is hereby directed that in the event of arrest or surrender before the learned Court below within 30 days from the receipt of a copy of this order, the accused petitioner shall be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Court below. Petitioner is directed to file an **undertaking** that he will not misuse the privileges of bail, will cooperate in the trial and is directed to furnish his mobile number with direction that neither he will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	09-06-2026
Date of Reserving judgment/order	-
Uploading Date	11-06-2026
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