

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11445 of 2015

Arising Out of PS.Case No. -1117 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Santosh Kumar Son of Sri Hare Ram Sah, resident of village- Nokhpur,
P.S.- Nawanagar, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Umesh Ray, Son of Sri Sushil Ray, Resident of village- Gotpa, P.S.-
Agrer, District- Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-06-2015

Heard learned counsel for the petitioner and
learned A.P.P.

On 24.04.2015 notices were issued to opposite
party no. 2, against which the office has reported that
notice has been served upon opposite party no.2, but the
opposite party no. 2 is not represented by any counsel.

The petitioner apprehends his arrest in
connection with Complaint Case No. 1117 of 2012,
registered for the offence under Section 420 of the Indian
Penal Code, which is pending in the court of learned
Judicial Magistrate, Ist Class, Sasaram, Rohtas

The complaint case has been filed by Umesh Ray in
the court of learned Chief Judicial Magistrate, Rohtas on
08.10.2012 stating therein that he had good relationship
with the accused Santosh Kumar and co-accused

Niranjan Kumar Ray and out of the good relationship he paid Rs. 2,62,000/- to them. After repeated reminders, the accused persons did not return his money and after great persuasion the accused Santosh Kumar issued a cheque of Rs. 1,10,000/- but when the petitioner presented the said cheque in the State Bank of India, Sasaram Branch, the said cheque was returned with a noting that due to insufficient funds could not be credited in the account of the complainant. The petitioner had stated in para-11 of his petition that he has returned Rs. 1,66,000/- to the complainant, the genuinity of which has not been disputed as the opposite party no. 2 even after notice has not appeared.

Under said circumstances, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sasaram, Rohtas in connection with Complaint Case No. 1117 of 2012, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Nilu Agrawal, J)

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