

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17836 of 2015

Arising Out of PS.Case No. -1346 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Sujeet Kumar, Son of Sri Ghanshyam Bishwas, resident of village Jagaili,
P.S.- K. Nagar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Mustafejur Rahman, Son of Late Imranali, resident of Betauna, P.S.
Kasba, District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Ms. Gulnar Begum(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 15-09-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No.C.A.1346 of 2012 for
allegedly having committed the offence under Sections 420,
406, 323, 324 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that an
allegation has been made against the petitioner stating that as
an agent of tower company, the petitioner had agreed to
establish two towers on the land of the complainant and for the
said purpose by way of commission, the petitioner had received
Rs.2,80,000/-. Learned counsel for the petitioner further
submits that there is no mention in the complainant petition as
to when and how the said payment was made to the petitioner,

but the fact remains that the tower in question was never installed and it has been alleged that the petitioner did not repay the amount which had been paid to him. Learned counsel for the petitioner has drawn the attention of this Court that the complainant has launched this frivolous case not against the tower Company which had agreed to install the tower on his land but against an intermediary-the petitioner, who has no role to play between the decisions to be taken by the parties.

Considering the vague nature of allegation made against the petitioner and also that he has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ran Vijay Kumar, learned Judicial Magistrate,1st Class, Purnea, in connection with Complaint Case No.C.A.1346 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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