

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49497 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -JAMALPUR District- MUNGER

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Victor Solemon @ Victor Solemn, S/O Manuel Solemn, Resident of PW-1E Eastern Jamalpur Railway, P.S-East Colony, District-Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party : Mr. Rajiv Nayan (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Jamalpur P.S. Case No.47 of 2014 for allegedly having committed the offences under Sections 420 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case is out and out a concocted inasmuch as the occurrence is of the year 2008. However, it is only in the year 2014 that the informant had lodged the present case as a complaint against the petitioner. It is submitted on behalf of the petitioner that the cheque, purported to have been issued by the petitioner, is undated and the complainant/informant has never stated as to whether he produced the cheque or presented the same for being encashed at the relevant point of time. It is

submitted that, in fact, the petitioner and the complainant were good friends and for the purchase of a motorcycle, the petitioner had given a cheque of the amount of Rs.13,000/- but instead, the complainant introduced the amount of Rs.1,13,000/- so as to make out a case against the petitioner. It is further submitted that the allegation that the petitioner having promised to get the complainant a job is also far-fetched as no date as appended to any of the documents has been mentioned, as has been alleged in the complaint petition.

Considering the aforementioned submissions and the vagueness of the allegations made in the complaint petition, let the above named petitioner, 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 the learned Chief Judicial Magistrate, Munger, in connection with Jamalpur P.S. Case No.47 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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