

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38112 of 2014

Arising Out of PS.Case No. -1123 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Kumar Divyendu @ Divaendu S/o Late Kaushal Kishore Pd Sinha r/o
Kautilya Naga, Near S.U. College, P.S.- Hilsa, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Radho Prasad Singh S/o Late Ram Kishun Singh village- Dariyapur,
P.O.- Kachiyava, P.S.- Nagarnausa, District- Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-04-2015 Heard learned counsel for the petitioner, learned
counsel for the Complainant and learned APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Section 406 of the Indian Penal Code
registered in connection with Complaint Case No. 1123C of
2013.

3. It is submitted that the petitioner has been
falsely implicated in a completely concocted case as the
alleged amount of Rs. 2,30,000/- said to have been
advanced by the complainant in February, 2010 for
purposes of enabling the petitioner to get admission in
Engineering Course whereas at the relevant time the
petitioner was already in 3rd year Engineering and the total

fees for the year did not exceed for Rs. 70,000/- and there is inordinate delay in filing the complaint on 27.11.2013.

4. Learned counsel for the Complainant appears suo motu.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within eight weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri S.K. Jha, learned Judicial Magistrate, Ist Class, Hilsa, Nalanda in connection with Complaint Case No. 1123C of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md. Ibrarul/-

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