

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47638 of 2014

Arising Out of PS.Case No. -223 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

Ashok Kumar Rai, Son of Sri Ram Chhabila Rai @ Pacchu Rai, Resident
of Village - Chakbhoj, P.S. - Hajipur Sadar, District - Vaishali at Hajipur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1, Advocate.

For the State : Mr. Dashrath Mehta (APP)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.223 of 2013/Tr. No.2872 of 2014 registered
under Sections 420, 467, 468, 471, 406 and 120(B) of the Indian
Penal Code pending in the court of the Sub Divisional Judicial
Magistrate, Vaishali at Hajipur.

The accusation is that the petitioner assured the
complainant to provide the job to his son on payment of
Rs.2,50,000/-. Thereafter, the complainant deposited the said
amount in the account of the petitioner and while appointment
letter was issued in the name of Ravi Chandra, the son of the

complainant, Ramesh Chandra, by the petitioner for doing the job to the post of Business Manager at I.V.M. Bank, Lalganj Branch, but the said appointment letter was found forged and later on despite repeated demand to return the said amount by the complainant, the petitioner did not return the said amount to the complainant.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the complainant talked the petitioner to sell the land and, accordingly, the petitioner had given Rs.2,50,000/- to the complainant to execute the sale deed but the sale deed was not executed by the complainant in favour of the petitioner and on making demand of amount by the petitioner, the complainant deposited the said amount in the account of the petitioner and, later on, lodged this false case with false story. Moreover, the dispute is civil in nature. It is further submitted that the petitioner has also filed a complaint case against the complainant and his son for lodging the false case bearing Complaint Case No.671 of 2013 in the court of the Chief Judicial Magistrate, Hajipur, Vaishali, in which the court has taken cognizance of the offence against the petitioner.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not

inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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