

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28826 of 2015

Arising Out of PS.Case No. -1897 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

=====

Bhawesh Kumar Mishra @ Ajay @ Bhawesh Mishra

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Khurshid Anwar (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2015

Heard learned counsel for the petitioner as well as
learned counsel for the Opposite party no.2.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under section
420 of the I.P.C

The prosecution story, in brief, is that the petitioner
cheated the complainant opposite party no.2 on the pretext that as
he is Bara Babu in the office of D.M. and as such he sell rice and
wheat supplied for the meal of prisoners in the jail, if purchaser is
available @ 1000/- per quintal. On his assurance Rs. 40,000/- was
paid to the petitioner by o.p.no.2 but the food grains were not
made available to him and he became traceless and therefore for
refund of money this case has been lodged.

It is submitted on behalf of the petitioner that the

petitioner had never taken Rs. 40,000/- from the complainant. It is further submitted that the petitioner has been falsely implicated in the present case. It is further submitted that there is no documentary evidence in support of the allegation made by the complainant.

Considering the aforesaid facts and circumstances, the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, shall 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 Lallan Ji, J.M. S.C. Saharsa in Complaint Case No. 1897 C of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Sudhir Singh, J)

Abhay/-

U		T	
---	--	---	--