

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40472 of 2014

Arising Out of PS.Case No. -27 Year- 2014 Thana -AJIMABAD District- BHOJPUR

1. Devendra Kumar S/o Fagu Singh Resident of Village+P.O.-Baga, P.S.-
Azimabad, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha

For the Opposite Party/s : Mr. M.Rab(App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 26-03-2015 Heard both sides.

The petitioner apprehends his arrest in a case under sections 420 and 406 and other sections of the I.P.C.

The informant made allegation that she invested money in the two fixed deposit scheme of the Bank. The informant went to withdraw the money along with the petitioner. She received Rs.90,000/- and she was to receive another Rs.90,000/- from another fixed deposit. The petitioner took the entire amount on the pretext of investing the same in the Bank, but the petitioner handed over Rs.10,000/- and committed breach of trust of Rs.80,000/-. It is submitted that the petitioner did not receive any money. The petitioner filed a complaint case on 17-2-2014 against the informant and thereafter the informant filed this F.I.R.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submitted that the petitioner cheated the illiterate and innocent lady. Even during the

course of investigation, the witnesses have supported the version of the informant.

On perusal of the records, it appears that the informant did not produce any chit of paper to show that she handed over the money to the petitioner for depositing the same in the fixed deposit. Prior to the institution of the case the petitioner lodged complaint case showing apprehension of his being implicated in the false case.

Considering the facts and circumstances, it is directed that in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, the above named petitioner 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 Chief Judicial Magistrate, Bhojpur, Arrah, in connection with Azimabad P.S.Case No. 27/2014, subject to the conditions as laid down under section 438(2) Cr.P.C.

B.Roy/-

(Prabhat Kumar Jha, J)

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