

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48150 of 2016

Arising Out of PS.Case No. -782 Year- 2015 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Rajesh Yadav Son of Late Laxmi Yadav resident of Village- Karmashi
Tola, Mishrauli, Police Station- Bhore, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shivnath Chaudhary son of Rajbanshi Chaudhary resident of Village-
Siyadi Mathia, P.S.- Siwan Muffassil, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2016 Heard both sides.

The petitioner along with other accuseds are facing
prosecution under sections 406 and 120-B IPC vide Complaint
Case No. 782 of 2015.

In the name of sending the son of the complainant to the
foreign country, it is alleged that a sum of Rs. 90,000/- was
cheated from him by the accused persons.

Counsel for the petitioner draws attention of the Court to
the complaint wherefrom it appears that a sum of Rs. 90,000/- was
given to the co-accused Haresh Yadav, who after counting it gave
the same to Mukhtar Mian. It is submitted that the petitioner did



not receive any amount. By way of embellishment, he has been named in the case, although he is the resident of different district. The petitioner has no criminal antecedents.

Considering the above, let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Siwan in Complaint Case No. 782 of 2015 (Tr. No. 2043 of 2015) on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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