

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35384 of 2016

Arising Out of PS.Case No. -1420 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Mohit Kumar Jha, son of Shobhanath Jha, resident of village-Vishunpur,
P.S.Amour, District-Purnea and at present the petitioner is resident of
Subhashnagar, P.S. K.Hat, District-Purnea.

.... Petitioner

Versus

1. The State of Bihar &
2. Indradeo Prasad Sah, son of Late Bajrangi Sah, resident of Khajanchi
Hat, Purnea, Muncipal Corporation, P.S. K.Hat, District-Purnea.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K.Agrawal, Sr. Advocate.

For the Opposite Party : Mr. Narendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

3 17-11-2016 Heard Mr. N.K.Agrawal, learned senior counsel for the

petitioner and learned counsel for the complainant as well as the

State.

The allegation is of committing misappropriation of a sum
of Rs.5,00000/- by way of inducing the complainant to pay the
same on the assurance that he will ensure a shop in an upcoming
market to the complainant. Upon completion of market, the shop
was not given to the informant/complainant whereafter an enquiry
was made and the complaint was lodged alleging that the
petitioner had not only cheated but also misappropriated the sum
of Rs.5,00000/-. It is submitted that there is no receipt or
agreement on record. The complainant has not produced the

original receipt of the agreement.

Learned counsel for the complainant on the other hand states that the receipt granted by the petitioner was enclosed along with the complaint. It is also submitted that in similar fashion, the petitioner had cheated another person/aspirant claiming himself to be the agent of the owner of the market.

Looking to the allegation and other materials available on record, I am not inclined to release the petitioner on anticipatory bail. Prayer is rejected.

(Kishore Kumar Mandal, J)

B.Kr./-

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