

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40610 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -RAMGARH District- BHABHUA (KAIMUR)

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Kiriti Pandey @ Kiriti Nath Pandey @ Kirit Pandey @ Kirit Nath Pandey,
Son of Onkar Nath Pandey, resident of village-Semri, P.O.-Chhata, P.S.
Chhata, District B-aleya (U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Ramgarh P.S. Case No. 106 of 2015, disclosing offences under
Sections 406, 420 and 120B of the Indian Penal Code.

Complaint petition filed by the informant is basis for
registration of the First Information Report. Allegedly, the
petitioner used to take coaching classes in some institute in
Bengalore. Upon an assurance given to the complainant's
daughter, who was a student in the said coaching institute, an
amount of Rs. 32,00,000/- was paid to one co-accused Rakesh
Kumar, on an assurance that he will manage admission of
petitioner's daughter in medical college. The petitioner's daughter

could not get admission in the medical college as assured by the accused persons. Subsequently, co-accused Rakesh Kumar is said to have returned Rs. 10,00,000/- and issued two cheques for payment of rest of the amount. The said two cheques stood dishonoured because of insufficiency of fund on presentation in the Bank.

Learned counsel for the petitioner, referring to the contents of the complaint petition, has submitted that there is no allegation against the petitioner that he had received any amount or he had issued any cheque, which stood dishonoured.

Considering the nature of allegation, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No. 106 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be,

as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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