

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14855 of 2016

Arising Out of PS.Case No. -3091 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

1. Hari Narayan Prasad @ Hari Narayan Bhagat Son of Late Sundar Bhagat
resident of village - Husseypur, Nawaka Tola, P.S. Bhorey, District -
Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Durgawati Devi Wife of Kashi Bhagat resident of village - Husseypur,
Nawaka Tola, P.S. Bhorey, District - Gopalganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 04-05-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Complaint Case No. 3091 of 2012, disclosing
offences under Sections 406 and 420 of the Indian Penal
Code.

A complaint case, lodged in the year 2010, is
the basis for registration of the First Information Report
under Section 156 (3) of the Code of Criminal Procedure,
1973.

It is alleged that the petitioner duped the

complaint into giving a sum of Rs. 20,000/- portraying himself to be an agent of a non-banking finance company.

It appears that the police submitted final report, exonerating the petitioner; however, on a complaint –cum- protest petition, the learned Court below has taken cognizance and issue summons. The petitioner, thus, apprehends arrest in connection with the said case.

Considering the fact that the final report by the police has been accepted by the learned Court of Chief Judicial Magistrate, and cognizance has been taken on the basis of complaint –cum- protest petition, this application is allowed.

Let the petitioner, Hari Narayan Prasad @ Hari Narayan Bhagat, in the event of his arrest or surrender before the Court below within six weeks, 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 Shri Ashish Mishra, Judicial Magistrate, 1st Class, Ggopalganj, in connection with complaint Case No. 3091 of 2012, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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