

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44496 of 2016

Arising Out of PS.Case No. -446 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Dhananjay Kumar Mehta, Son of Late Raghu Singh, resident of Village +
P.O. - Amiyawar, P.S. - Nasriganj, District- Rohtas.

.... Petitioner

Versus

1. State of Bihar
2. Arjun Kumar, Son of Anurup Prajapati, Resident of village-
Mashihasbad, P.O. - Panduri, P.S. - Sheosagar, District- Rohtas.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nagendra Prasad, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 28-10-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 446 of 2012, registered under Sections 420 and
406 of the Indian Penal Code.

The accusation is that petitioner approached the
complainant, namely, Arjun Kumar and asked him to provide job of
Sevika in Anganbari to his wife on the payment of Rs. 90,000/-.
Thereafter, complainant came in the allurements of the petitioner and
on 05.08.2011, he handed over Rs. 45,000/- and Rs. 45,000/- was
given on 25.08.2011 to the present petitioner. The petitioner also
handover the acknowledgement regarding receiving of Rs. 45,000/-

from the complainant on Stamp paper with statement that the job to his wife would be provided within one month. But the job was not provided and on making demand of the money, petitioner refused to return. Thereafter, on 13.03.2012 legal notice was sent to the petitioner on which petitioner again assured him to return Rs. 90,000/-, but in spite of all efforts, petitioner did not take any heed to return the said amount.

Learned counsel for the petitioner submits that, in fact, the petitioner and the complainant was engaged in business of selling and purchasing of rice in the rural areas to sell the same and it was decided about formation of a firm for doing the said business and in that course, petitioner put his signature on some paper showing to give Rs. 45,000/- to the complainant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM, Sasaram at Rohtas in connection with Complaint Case No. 446 of 2012, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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