

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20540 of 2017

Arising Out of PS. Case No. -259 Year- 2015 Thana -PIPRA District- EASTCHAMPARAN
(MOTIHARI)

=====

Santosh Mukhiya, Son of Gobari Mukhiya, Resident of Village-
Kunwarpur, Police Station- Pipra, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioner, State and
the informant.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420 and 506 of the Indian Penal Code.

Allegation is that the petitioner duped Rs. 1,17,000/- of the informant on the pretext of sending him in foreign country.

Learned counsel submits that the informant stated in the F.I.R. that he gave money in presence of two witnesses, but they have not been examined under Section 161 of the Cr.P.C. He further submits that there is no document to show that the petitioner has received Rs.1,17,000/-.

Counsel for the informant submits that he is a next



door neighbor of the petitioner and on trust he gave Rs.1,17,000/- to the petitioner.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the petitioner, above named, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P. S. Case No. 259 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the further condition that the petitioner would deposit a sum of Rs.20,000/- in two equal installments in the court below, which would be subject to the result of the case. The first installment of Rs.10,000/- would be deposited within one month and the 2nd installment in the subsequent month.

(Samarendra Pratap Singh, J.)

Uday/-

U		T	
---	--	---	--

