

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26784 of 2017

Arising Out of PS.Case No. -2549 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Rajiv Kumar Sharma Son of Late Radhey Shyam Sharma, Resident of II-49/A (North Railway), C.P.H. Colony , Alam Bagh Lucknow, P.S.- Lucknow, District- Lucknow(UP),

.... Petitioner/s

Versus

1. The State of Bihar .
2. Uma Shankar Singh, Son of Late Ram Janam Singh, Resident of Hanumant Nagar- Lakshmi Pur, Siwan , P.S.- Siwan Town, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 13-07-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the complainant.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 2549 of 2014 for the offences punishable under sections 420 and 406 of the I.P.C.

Allegedly, the petitioner took Rs. 5,00,000/- from the son of the complainant to provide job in the railway but neither the job was provided nor money has been returned.

Submission is of false implication and that there is no



proof regarding payment of money to the petitioner, all the allegations are concocted and false and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has cheated Rs.5,00,000/- in the name of providing job.

In the facts and circumstances as stated above, considering that the allegation as alleged is hit by the principle of *pari delicto* and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Siwan in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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