

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43803 of 2017

Arising Out of PS.Case No. -372 Year- 2015 Thana –KAHALGAON (Ghogha) District-
BHAGALPUR

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1. Biswajit Das Son of Late Kanal Das @ Late Lal Das @ Late K. Lal Das,
Aged about 45 Years, Residing at Subhayam Park Road, L.P/135, Kolkata-
700141. P.S.- Maheshtala, West Bengal. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dayanand Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 04-10-2017

Heard both sides.

The petitioner apprehends his arrest in Kahalgaon (Ghogha) P.S. case No. 372 of 2015 for the offences punishable under Section 406, 419, 420 and other Sections of the Indian Penal Code.

The informant alleged that Santosh Dubey requested him to invest money for construction of Dharmsala and his uncle became ready for construction. Santosh Dubey, Murari Tiwary and the petitioner, Biswajit Das, came and took Rs. 15 lac after endorsement on the letter pad. Santosh Dubey requested his uncle to transfer money in the account of Biswajit Das and got Rs. 36 lac, thereafter Santosh Dubey issued cheque.

The learned counsel for the petitioner submits that petitioner never issued any cheque nor received any money from



the informant or his uncle. It is further submitted that Santosh Dubey and Murari Tiwary have already been granted anticipatory bail vide order passed in Cr. Misc. No. 58109 of 2015 and in Cr. Misc. No. 54053 of 2015 and the case of petitioner stands on better footing.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner did not receive any amount from the informant or his uncle and the petitioner is alleged to have accompanied Santosh Dubey, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. case No. 372 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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