

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53404 of 2016

Arising Out of PS.Case No. -972 Year- 2013 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Rajesh Bharadwaj, Son of- Somaru Bhardawaj, Resident of Village-
Rajapur, P.O.- Saray Mohane, P.S.- Sarnath, District- Varanashi.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Complainant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 18-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the
complainant.

The petitioner apprehends his arrest in connection with
Complaint Case No.972 of 2013 registered under Sections 406,
420 and 467/34 of the Indian Penal Code.

The accusation is that Ritesh Gandhi, the younger brother
of the complainant, used to reside at Varansi in connection with
his study in Adarsh Intermediate College and the complainant often
used to visit there. In that course, this petitioner met the
complainant and introduced himself as a teacher in Rishibhri



Sanskrit Vidyalaya, Dhamdha, Durg (Chhatishgarh) and also told that one post of teacher is vacant there and on arrangement of the cash Rs.3,00,000/-, he would be provided the job of teacher. While the complainant and his father did not pay any heed to it but the petitioner approached the complainant at his house and, thereafter, the complainant in presence of his father became agreed and, accordingly, gave Rs.1,25,000/- to the petitioner in presence of the witnesses on 07.09.2012. Thereafter, one Brajesh Mishra came in touch of the complainant, who introduced himself as headmaster of the school. After that, the complainant went to Dhamdha, where appointment letter was handed over to him by the petitioner and Brajesh Mishra and both came to his house and again the father of the complainant gave Rs.1,25,000/- to them. While the complainant performed the work of teacher for about 5 months but no salary was paid to him. After passing over sometimes, the complainant came to know about the forgery committed with him by the petitioner and Brajesh Mishra in issuing the forged letter of appointment. Thereafter, the complainant asked them to return the money, then Brajesh Mishra issued a cheque of Rs.1,25,000/- of the Bank of India to him but when the same was presented for encashment, the same could not be encashed due to insufficiency of fund in the account.



Learned counsel for the petitioner submits that it would appear from the complaint petition that no document has been produced by the complainant about handing over cash Rs.1,25,000/- to the petitioner and cheque of Rs.1,25,000/- was issued by Brajesh Mishra and not by this petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Complaint Case No.972 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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