

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38433 of 2017

Arising Out of PS.Case No. -25215 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Banwari Paswan, Son of Sri Mathura Paswan, Resident of Village-
Sadani Chak, P.O.- Mitanhak, P.S.:- Parsa Bazar, District:- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Sagar Singh, Son of Late Manogi Singh, Resident of Village,
Domanchak, P.S.- Gopalpur, P.O. Manohrpur Kachhuara, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with
Complaint Case No.25215(C) of 2014 registered for offences
punishable under Section 406 of the Indian Penal Code.

Allegation against the petitioner is of committing fraud
upon the complainant by taking Rs.2,00,000/- on the pretext of
providing vehicle and again he took Rs.3,00,000/- through three
different cheques for getting the sale-deed executed by another
person and now he is not returning the same.

Submission of the learned counsel for the petitioner is that
he has taken only Rs.1,00,000/- from him and that has been
returned and Rs.2,00,000/- has been given to the wife of the



vendor through different cheques. It is also submitted that in spite of notices to the O.P.No.2, he has not appeared in the court for mediation in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the court below to issue notice to O.P.No.2 to appear in this case and after hearing both the parties, he will pass appropriate order as he deems fit and proper.

In the meantime, no coercive steps will be taken till the final order is passed by the learned court below.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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