

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47955 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -RAMGARH District- BHABHUA (KAIMUR)

1. Rakesh Kumar, son of Ravindra Nath, R/o Village- Kesaudhi, Post Kesaudhi Sahar Dhuiyapal, P.S.- Bara Godda, District- East Singhbhum (Jharkhand). At present Universal Services S-715, 7th floor, South Block, 47 Manipal Center, M.G. Road, Banglor-560042.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

For the Informant : Mr. Viveka Nand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-10-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner apprehends his arrest in **Ramgarh P.S.**

Case No.106 of 2015 instituted for the offence under Section(s) 420, 406, 120-B Indian Penal Code and Section 138 of the Negotiable Instrument Act pending in the Court of the **Chief Judicial Magistrate, Kaimur at Bhabua.**

There is specific allegation against this petitioner that he demanded Rs.28 lacs and odd from the Complainant on the pretext of admission of her daughter in Medical College. Complainant gave Rs.3,50,000/- on 10.04.2014 and deposited Rs.6,50,000/- on 21.04.2014 in his account. Thereafter, he sent Rs.8,00,000/- on 04.06.2014 in the account of the petitioner. The



Complainant further deposited rupees eight lac and odd in the account of the co-accused. He misappropriated the amount and daughter of the Informant could not get admission in Medical College, Bangalore.

On repeated demand, petitioner gave two cheque(s) to the Complainant amounting to rupees three lacs and five lacs, which were deposited in the account of the Complainant but both cheque(s) bounced.

Counsel for the Informant has submitted that the petitioner is harassing him since 2014 after misappropriating the amount.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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