

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24696 of 2017

Arising Out of PS.Case No. -1 Year- 2016 Thana -MAKER District- SARAN

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Rintu Maharaj, son of Rampal Maharaj, resident of Village/Mohalla- Shital Bhakurahar, P.O.- Mani Bhakurahar, P.S.- Sarai, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr. Smt. Asha Devi, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 19-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Maker P.S. Case No. 01 of 2016, registered under Section 420/34 of the Indian Penal Code.

The accusation is that, on 30.03.2016, at the house of Kedar Sharma in village Jamalpur, Sukhdeo Sharma came where petitioner and his father, Rampal Maharaj were present and both were convincing to the persons present there for depositing Rs.1500/- in six installments in between December to May for the benefit of pension of Rs.5000/- per month. Rampal Maharaj, father of the petitioner, also told that he is retired from defence service and has approached with Colonel and asked to provide the



job in defence. On 03.04.2015, this petitioner came at the door of the informant and asked him to link with his company and also told him to attend the meeting in the office. In that course, petitioner linked many persons in his company but later on the petitioner used to avoid to meet the informant and others on the pretext of hospitalizing of his brother-in-law due to grievous injury. Thereafter, informant started to search but the address as given by the petitioner was found fake then on the basis of the address given by the petitioner in the State Bank of India, the informant and others reached at the door of the petitioner then petitioner and his father told them that the money will be returned later on.

Learned counsel for the petitioner submits that, in fact, Rampal Maharaj, father of the petitioner, has filed Title Suit No. 317 of 2013, pending in the court of Sub-Judge, Vaishali at Hajipur, against Sbhobha Devi, 'Bua' of Kanti Devi and Jamanto Devi, whose marriage are solemnized in the village of the informant and only to give undue pressure to compromise the Title Suit No. 317 of 2013, the present case has been lodged with false allegation. It is further submitted that while it is alleged in the F.I.R. that the money was deposited in the account of the petitioner but no any receipt has been produced by the informant



nor the description about the receipt of depositing the money in the bank account of the petitioner has been detailed in the case diary, which is up to paragraph 58.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, Chapra, in connection with Maker P.S. Case No. 01 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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