

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5948 of 2017

Arising Out of PS.Case No. -2141 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Rakesh Verma @ Rakesh Ranjan Srivastava son of Late Dharamnath Verma, Resident of Village- Ranaha, Lala Tola, Suryapur, P.S.- Srinagar (Pujaha), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rama Kant Prasad son of Nagina Prasad, Resident of Village- Pakuawa Purbi, P.S.- Mainatand, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-02-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the Complainant.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 2141-C of 2015/ Trial No. 3347 of 2016 for the offences punishable under sections 406 and 420 of the I.P.C.

Allegedly, the petitioner took Rs. 4,00,000/- to provide job to the complainant and four witnesses and from each the petitioner took Rs. 80,000/- in the first week of November, 2010 and assured them to provide job of Computer Operator in



HPCL Sugar Mill, Lauriya, but neither the job was provided nor the money was returned and as such this complaint case was filed.

Submission is of false implication and that there is no chit of paper to show that the petitioner is receiving any money from the complainant or the witnesses, it is out and out a false case and further the case of the complainant is hit by *pari delicto*.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is the main accused and he has taken Rs. 80,000/- from each, total Rs. 4,00,000/-, and cheated huge amount.

In the facts and circumstances as stated above, considering that the case of the complainant is hit by *pari delicto* and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M-III, West Champaran at Bettiah in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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