

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5529 of 2018

Arising Out of PS.Case No. -299 Year- 2015 Thana -KADAMKUAN District- PATNA

=====

Sharvan Kumar Chaubey, son of Rama Shankar Chaubey, Resident of
Village- Chaubeypur, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the State : Mr. Sanjay Kumar Sharma, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Kadamkuan P.S. Case No.299 of 2015 registered under Sections
406 and 420 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that on the basis of some concocted story, a false case has been
instituted against the petitioner in order to extract money from
him. He submitted that if the informant has deposited some
amount in the account of the petitioner and he wants the same
back, it would be simply a case of money claim for which no
criminal prosecution under Sections 406 and 420 would lie.

On the other hand, learned counsel for the informant



submitted that on the pretext of installing a mobile tower on the land of the informant, the petitioner cheated him to the tune of rupees one lac twenty two thousand.

Be that as it may, taking into consideration the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 learned Judicial Magistrate, 1st Class, Patna in connection with Kadamkuan P.S. Case No.299 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--

