

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67941 of 2018

Arising Out of PS. Case No.-2060 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Kamal Kumar, S/o Akshay Kumar Yadav, Resident of Village- Raksa, P.O.-
Raksa, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pradeep Kumar, S/o Late Krishnlal Rai, Resident of Village- Harpur, P.S.-
Saraiya, District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 420 of the Indian Penal Code.

The prosecution case as per the complaint petition is that the petitioner, Kamal Kumar took Rs.2,50,000/- from the complainant, in the name of providing employment to the nephew of the complainant namely, Mukesh Kumar. Subsequently, Thereafter, the one appointment letter was received by Mukesh Kumar and in pursuance to the same, when



he went to give his joining, it was informed that the appointment letter is fake and thereafter, after repeated persuasion, the petitioner handed over a cheque of Rs. 50,000/- with the promise to return back the remaining amount soon. The cheque of Rs.50,000/- given by the petitioner, subsequently got dishonoured.

It is submitted by learned counsel for the petitioner that there is no proof with regard to the payment and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that the complainant wanted employment of his nephew illegally, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 2nd (West), Muzaffarpur in connection with



Complaint Case No. 2060 of 2015, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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