

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.382 of 2018

Arising Out of. Case No. -353 Year- 2014 -EAST CHAMPARAN COMPLAINT District -
EASTCHAMPARAN(MOTIHARI)

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Durgesh Chand Ram @ Durgesh Chand

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. B. N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-01-2018

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. C-353 of 2014 for the offences punishable under Section 420, 465 of the Indian Penal Code.

The complainant alleged that he deals in tobacco. The petitioner approached him and assured him to send him and his brother to foreign country. The complainant gave Rs. 1,30,000/- in the account of petitioner and others. Rupees 50,000/- was deposited in the account of the petitioner. The petitioner gave VISA and air ticket of the brother of the complainant but later on the VISA and air ticket were found fake.

The learned counsel for the petitioner submits that petitioner also deals in tobacco. The complainant had taken tobacco from the petitioner and the complainant gave money in



the account of petitioner. The brother of complainant was given air ticket and VISA but he has not been arrayed as witness in the complaint petition. The brother of complainant was not even examined as witness during the course of enquiry.

Considering the fact that no chit of paper is shown that petitioner handed over air ticket and VISA to the brother of the complainant, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged 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 Sub divisional Judicial Magistrate, East Champaran, Motihari in connection with Complaint case No. C-353 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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