

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23127 of 2019

Arising Out of PS. Case No.-707 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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SURAJ DEO RAM, Son of Bikrama Ram, Resident of Village-Paikauli Bado,
P.S-Fulwariya, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ambika Singh Son of Late Jhagaru Bhagat, Resident of village – Selar Khurd, Post – Paikauli Bado, P.S.-Fulwariya, District – Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 23-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Section 420 of the Indian Penal Code.

Petitioner took Rs. 68000/- from the complainant
for managing job for his son in the Gulf country by executing a
receipt on the stamp paper and sent his son in the Gulf country
on tourist VISA. Consequently after expiry of the time of
VISA, his son returned back to India. Thus the petitioner has
usurpt the aforesaid money of the complainant.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid



occurrence. He has been falsely implicated in the case. As a matter of fact, petitioner had sent the son of the complainant to the Gulf country on job but his son was not competent to that job, hence he was discharged from the job and consequently he returned back to India and in order to extract money from the petitioner, complainant has lodged this false and frivolous case against him. However petitioner is ready to return back the money of the complainant in two equal installments of one month each. It is further submitted that the petitioner is on provisional bail vide order dated 12.04.2019 of this Court.

Learned counsel for the opposite party no.2 appearing before the Court submitted that the complainant shall not pursue the case on payment of the aforesaid amount by the petitioner as agreed.

Having regard to the facts and circumstances of the case, provisional bail granted to the petitioner vide order dated 12.04.2019 by this Court is confirmed subject to condition that the petitioner shall make payment of the aforesaid amount i.e. Rs. 68000/- in two equal installments of one month each to the complainant by demand draft before the court below and in case of failure of the petitioner to honour the aforesaid undertaking, learned lower court shall be at liberty to cancel the



bail bond of the petitioner.

Accordingly, this petition is disposed of.

(Prakash Chandra Jaiswal, J)

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