

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34630 of 2019

Arising Out of PS. Case No.-187 Year-2013 Thana- KATEYA District- Gopalganj

DEVENDRA KUMAR MISHRA Son of Late Jokhan Mishra Resident of
Village- Chaumukha, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-09-2019 This application, for grant of anticipatory bail, arises out
of Kateya P.S. Case No. 187/2013, disclosing offences under
Sections 420, 406, 467, 468 and 471/34 of the Indian Penal Code.

Allegation against the petitioner and other accused
persons is that they approached the informant and on the pretext
of sending him to Australia collected Rs. Fifteen Lakhs from the
informant and others in cash and through bank deposits and some
receipt showing deposit of money in his account has also been
filed by the petitioner himself as Annexure 2 and 3, as such, the
petitioner in collusion with others have cheated the informant and
others.

Submission of learned counsel for the petitioner is that
the petitioner is the teacher in the school of the informant and as
some amount of the petitioner was due with the informant and



only with a view to avoid the payment, he has come with this false case.

Learned counsel for the State opposed the prayer for anticipatory bail on the ground that paying slip of the deposit, shows that the amount was deposited in the account of the petitioner also and the same has been verified by the Investigation Officer during investigation and it was found that one of the accounts, in which, the amount was transferred belongs to petitioner.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather he may surrender in the court below and pray for regular bail and it is always open to the petitioner to approach the informant for amicable settlement and if any such settlement is reached, the court below shall consider the same while disposing of the prayer for regular bail of the petitioner.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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