

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36015 of 2019

Arising Out of PS. Case No.-1 Year-2014 Thana- SAKATPUR District- Darbhanga

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RAJMANI @ RAJMANI SHARMA Owner of RAJMANI SAI CENTRE TRADERS Son of Late Ram Anugrah Sharma Permanent Resident of - Bi Pass Road, New Retistry Court, Maheshwari, P.S.- Jamui, Dist.- Jamui, Present Address- Sai Centre (traders), 1st Floor, Sarmash Kothi, Old Post Office line, Jamal Road, P.S.- Kotwali, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Swetabh
For the Opposite Party/s : Mr.Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-08-2019 This application, for grant of anticipatory bail, arises out of Sakatpur P.S. Case No. 01 of 2014, disclosing offences under Sections 406, 419, 420, 467, 468 and 471 of the Indian Penal Code.

Allegation against the petitioner claiming himself to be the representative of Tata Indicom Company contacted the complainant and offered him to install the mobile tower on his land on security deposit of Rs. 1,10,000/- and on providing area of 2500 sq ft. and in lieu of that, petitioner ensured the complainant that he would get Rs. 4500/- per month as rent as well as job to one of the family members, on which, the complainant and other witnesses deposited total amount of Rs.



4,75,000/- but the tower was not installed and when the complainant pressurized for returning his money, the petitioner issued a cheque of Rs. 65,000/- which was dishonoured by the Bank on presentation.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and no chit of paper has been produced so far the amount of Rs. 4,75,000/- is concerned. However, after some argument the petitioner agreed to return the amount of Rs. 65,000/-, which was dishonored by the bank subject to final outcome of the case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let petitioner surrender in the court below on 23.08.2019 along with bank draft of Rs. 65,000/- in favour of the complainant and the court below after verifying the same shall release the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to his own satisfaction in connection with Sakatpur P.S. Case No. 01 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Further, if any application is filed by the complainant for release of the above stated amount of Rs.



65,000/- the court below shall release the same in favour of complainant on undertaking that he will have to abide by the final order.

It is also made clear that the deposit of the said amount by the petitioner, will not prejudice his case.

(Vinod Kumar Sinha, J)

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