

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43249 of 2019**

Arising Out of PS. Case No.-2381 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Sanjay Kumar Son of Late Gopi Chand Mehta Resident of Village- Chak
Mussalahpur (Koiri Tola), P.O.- Mahendru, P.S.- Kadamkuan, District- Patna.
800006

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raju Rai Son of Late Doman Rai Resident of East Lohanipur, Ambedkar
Colony, Behind Vaishali, Cine Khadpar, B-143, P.S.- Kadamkuan, P.O.-
Rajendra Nagar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Mohan Kateryar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 11-09-2019 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned counsel for the State.

The petitioner apprehends his arrest in Complaint
Case No. 2381C of 2017, registered for the offences punishable
under Sections 379, 323 and 422 of the Indian Penal Code.

As per the complaint petition, it is alleged that
petitioner has misappropriated Rs. 1,65,000/- of the
complainant. It is further alleged that when the complainant
demanded his money, petitioner threatened him to involve in
false case and also snatched Rs. 500/- from his pocket.

It is submitted on behalf of the petitioner that no case



under Section 379 is made out. From the complaint petition it appears that alleged money was taken in the year 2012, but the complaint petition has been filed in the year 2017. In fact, no such money was taken by the petitioner and a false case has been filed in order to pressurize the petitioner. Petitioner has got no criminal antecedent.

Considering the facts aforesaid, provisional bail granted to the petitioner vide order dated 12.07.2019 is, hereby, confirmed.

(Prabhat Kumar Singh, J)

vinita/-

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