

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57480 of 2018

Arising Out of PS. Case No.-47 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Mahesh Kumar Singh @ Mahesh Singh, Son of Gajadhar Singh, resident of
Village- Paltu Bigha, P.S. Makhdumpur, District- Jehanabad.

... .. Petitioner

Versus

1. State Of Bihar,
2. Dev Kali Devi, W/o Late Ram Kishun Singh, resident of Village- Paltu Bigha
P.O. P.S. Makhdumpur, District- Jehanabad.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case no. 47 of 2017, registered under Sections
420, 467, 468, 471, 120(B) and 323 of the Indian Penal Code
and Section 138 of the N.I. Act.

The accusation is that the petitioner told the
complainant to invest money in land construction company for
earning high interest, accordingly, complainant met with one
Devashish Das proprietor of construction company and both
asked him to deposit Rs. 70,000/- with assurance to return
Rs. 1,40,000/- after three years. Thereafter, she put thumb



impression on withdrawal form and Devashish Das withdrawn the money. After three years, when complainant asked the petitioner to return the said money, then he did not take any heed on it.

Learned counsel for the petitioner submits that it would appear from the complaint petition that Rs. 70,000/- was taken by accused Devashish Das, who is the owner of the construction company. Further submission is that complainant admitted, in her statement, that when she approached to co-accused Devashish Das, he handed over cheque of Rs. 70,000/-, but the same was dishonoured then notice was sent as such the petitioner was not taken cash of Rs. 70,000/- from the complainant, rather, the same was taken by co-accused Devashish Das in presence of the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in connection with Compliant Case No. 47 of 2017,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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