

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78249 of 2018

Arising Out of PS. Case No.-3212 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Rupesh Kumar Verma Son of Late Avinash Kumar Verma Resident of
Mohalla Helabazar Ward No.13 Ram Bhadra P.S. Hajipur Town,Distt.-
Vaishali

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ajit Kumar Son of Sri S.N. Srivastava Resident of Veerkuer Singh Colony
Ward No.27,P.S. Hajipur Town,Distt.-Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain
For the Opposite Party/s : Mr.Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-02-2019 This application, for grant of anticipatory bail,

arises out of Complaint Case No. C1-3212/17, Tr. No. 2333/17,

disclosing offences under Sections 406 and 420 of the Indian

Penal Code.

Allegation against the petitioner is that he has taken
Rs. 6,00,000/- from the complainant for providing him job in
Railways, however, neither the job was provided nor the money
was returned and on asked by the complainant, petitioner gave a
cheque to the complainant but the complainant did not deposit
the same due to repeated promise of the petitioner that the
money will be returned.

Submission of learned counsel for the petitioner is



that out and out false and concocted allegation has been levelled by the complainant and he has not taken any money from the complainant and falsity of the case will appear from the fact that though it is alleged that cheque has been issued by the petitioner but he has not presented the same before the Bank but he has lodged the present case only with a purpose to harass the petitioner.

Heard learned A.P.P. as well as learned counsel for the complainant. They have opposed the prayer for bail. Learned counsel for the complainant has submitted that the petitioner claimed himself to be officer in the Railway and assured the complainant that he will provide him job in Railways and for that he took Rs. Six lakhs from the complainant and handed over a forged appointment letter to the complainant and when the complainant realised that he has been cheated, he demanded his money back, on which, the petitioner issued a cheque but at the same time, he asked not to deposit the cheque, as he would make all the payments but the period of cheque has expired and the complainant finding, no other way has lodged the case.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner



should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below shall dispose of the same on the merit of the case, without being prejudiced by the order of this Court.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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