

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.49005 of 2019**

Arising Out of PS. Case No.-3836 Year-2017 Thana- SARAN COMPLAINT CASE District-Saran

KAMAL KISHORE SINGH @ RAJ KISHORE SINGH Son of Nagendra Singh Resident of Village - Masrakh Gopalbari, P.S.- Masrakh, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rakesh Kumar Son of Vishvanath Sah Resident of Village - Masrakh Gopalbari, P.S.- Masrakh, Dist.- Saran at Chapra.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar  
Mr. Ujjawal Bhushan  
For the Opposite Party/s : Dr. (Mrs.) Indiarwar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      06-08-2019      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 3836 of 2017, disclosing the offence under Sections 420, 406, 467, 468, 471, 323, 504, 506 of the Indian Penal Code.

The allegation against the petitioner is that he had assured the complainant a job in a foreign country and had assured of facilitating issuance passport, Visa etc. It is alleged that while working in Malaysia, where the complainant was sent by the petitioner for job, condition was miserable and his



documents were seized by the Malaysian authorities. The petitioner had taken certain amount from the complainant for arranging his passport, Visa etc., which he wanted to be returned but the petitioner has refused to return, the complainant alleges.

Learned counsel for the petitioner has submitted that no case of cheating can be made out against the petitioner as he had facilitated issuance of Visa, passport etc. and he cannot be blamed if living condition of the complainant in Malaysia was not up to his satisfaction.

Considering the nature of accusation, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM-II, Saran at Chapra in Complaint Case No. 3836 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on



his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Rajesh/-

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