

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3861 of 2019

Arising Out of PS. Case No.-3082 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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Sarjoo Prasad @ Saryug @ Saryug Prasad son of Late Rajendra Prasad
resident of G-4, People's Co-operative Colony, Kankarbagh, P.S-Kankarbagh,
Town and Distt.-Patna.

... .. Petitioner/s

Versus

1. State of Bihar
2. Rabindra Kumar Singh, son of Late Gouri Shankar Singh Resident of Bansi
Bhawan Ram Nagar, Karbigahiya, P.S-Jakkanpur, Distt.-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Lal Babu Keshari, Advocate. Dr. Uma Shankar, Advocate.
For the Opposite Party/s	:	Mr.Anant Kumar 1, APP
For the informant	:	Mr. Agreya Pratap, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-04-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 3082(C) of 2013 registered under Section

406 of the Indian penal Code.

Allegation against the petitioner is of taking Rs. 15 lacs
from the complainant and not returning the same. It appears
from the record that in this case summons have been issued to
the petitioner in the year 2014 vide order dated 21.08.2014.

Submission of learned counsel for the petitioner is that
the matter out and out relates to money suit and further
petitioner has no knowledge about the summons or any other
notice issued against him as such he could not appear. Further
submission is that petitioner after retirement has opened an



Institute and in that he kept the complainant as Assistant Secretary but later on, he was removed and due to that reason present case has been filed. He submits that petitioner has also filed informatory petition and complaint against the O.P.No. 2-complainant.

Heard learned APP as well as learned counsel for the complainant.

Having heard both sides and considering the fact that summons have been issued in the year 2014 and 2019 is coming forward as such it is better for the petitioner to surrender before the court below within a period of six weeks from the date of receipt of a copy of this order bringing all the above facts in the notice of the court below, who will examine the fact as to whether summons and warrants have been issued against the petitioner or not and also about the authenticity of the case filed by the petitioner against the O.P.No. 2 and considering all facts, he will dispose of the prayer for bail of the petitioner, without being prejudiced by this order, if possible, on the same day.

Accordingly, this application stands disposed of.

(Vinod Kumar Sinha, J)

sujit/-

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