

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70019 of 2019**

Arising Out of PS. Case No.-451 Year-2016 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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OM PRAKASH Son of Aliyar Ram Resident of Village - Bhadaini, P.O.-
Bheriya, P.S.- Durgawati, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kislay

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 15-11-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 451 of 2016, disclosing offences under
Sections 420 and 468 of the Indian Penal Code.

As per F.I.R. one co accused approached the complainant
to submit the form and he will get him appointed in bank, if he is
able to manage Rs. 3 to 4 lakhs, on which, the complainant deposited
two cheques worth Rs. 65,000/- in the bank account of the petitioner
and also gave cash of Rs. 2,35,000/- to him and, thereafter, a forged
appointment letter was given to him for appointment in HDFC Bank
and thus the petitioner cheated him.

Submission of learned counsel for the petitioner is that all
the allegations are false and concocted and he is still ready to return
the amount of Rs. 65,000/- which is alleged to have been deposited
by the complainant in his bank account and except that Rs. 65,000/-



no money was given to the petitioner and even no chit of paper has been produced to show the transaction of cash of Rs. 2,35,000/-

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, let the petitioner, above named, surrender before the court below within six weeks along with a bank draft of Rs. 65,000/- drawn in favour of the complainant and the court below after verifying the same, shall release the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -II, Kaimur at Bhabhua, in connection with Complaint Case No. 451 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if any application for withdrawal of the aforesaid amount of Rs. 65,000/- is given by the complainant, the same shall be released in his favour with undertaking that the same shall be subject to the final outcome of the case.

(Vinod Kumar Sinha, J)

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