

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55950 of 2019

Arising Out of PS. Case No.-465 Year-2013 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

Deepak Kumar, Son of S.N. Chaudhary, Resident of Mohalla Mahmabad (Near Gemasi) P.S. Babarganj District- Bhagalpur, presently Resident of Mohalla Chhoti Hasanganj (Near Domasi) P.S. Mojahidpur 9 Babaerganj O.P.) District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manorama Devi, wife of Sitaram Pandit C/o Bishnudeo Pandit, Resident of Mohalla Digghi P.S. Nath Nagar District Bhagalpur Permanent Resident of Village and P.S. Amarpur District Banka.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Pravin Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar, A.P.P.
	Mr. Pancha Nand Pandit, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 24-02-2020 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence(s) under sections 341, 323, 504, 406, 420 and 467 of the Indian Penal Code.

As per the allegation in the complaint, inspite of opposite party no. 2 giving the premium amount of L.I.C. policy in cash for depositing the same in the post office, it is stated that neither the amount was deposited, no receipt was furnished to the



opposite party no. 2 nor the amount has been returned.

It is submitted by learned counsel for the petitioner that in response to a notice received from an advocate on behalf of the complainant, a reply was sent to the complainant wherein it was categorically stated that inspite of pursuing the complainant, the amount for depositing by way of premium of the policy, was not provided to the petitioner and hence the same could not be deposited. It is further stated that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant that the petitioner has cheated a total amount of Rs. 77,044/- given by the opposite party no. 2 to the petitioner by way of cash from year to year from 2008 to 2012.

On enquiry being made by the Court as to how the complainant provided the petitioner with the premium in cash for the subsequent year when he had not received the receipt for the previous year, no satisfactory reply has been given.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the



event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case no. 465 of 2013 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Bhagalpur subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

Ankit/-

U		T	
---	--	---	--

