

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25224 of 2022

Arising Out of PS. Case No.-3599 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Ramesh Kant Roy Son Of Late Sukhdeo Roy Resident Of Village - C/31- 32,
Saket Vihar, Mitra Mandal Colony, Anishabad, P.S.- Phulwari, Distt.- Patna
And Present/Permanent Resident Of Village - And P.O. Shankar - Rohar -
Bithauli , Ward No.11, Bahera, P.S.- Baheri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Narendra Prasad Ambastha Son of Late Dineshwar Lal Resident of
Village-301, Lakshmi Complex, Road No.1, Gardanibagh, P.s.-
Gardanibagh, Distt.- Patna.800001

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar Mr. Fakhruddin Ali Ahmad
For the Informant	:	Mr. Anjani Kumar Sinha
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 406, 420, 120(B) of the Indian Penal Code and

Section 138 of the Negotiable Instruments Act.

As per allegation in the F.I.R, under a

conspiracy, the petitioner along with other co-accused



persons has cheated the complainant and his daughter and grabbed an amount of Rs. 28,35,000/- from them on the pretext of getting admission in M.B.B.S course. It is further alleged that the daughter of the complainant neither got admission in M.B.B.S course nor the petitioner returned the aforesaid amount to the complainant despite legal notice being sent.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is neither an agent or staff of the alleged medical college nor he took a single rupee from the complainant or his daughter. The petitioner is also an agent in L.I.C in the branch where the complainant is also a senior agent. The independent witnesses have also not state any material fact against the petitioner nor suggested his involvement. The payment was made through cheque and it was in-cashed in the account of one Dr. Naveen. Later on, the Institute of Medical Science & Research has given the cheque in



favour of the complainant which was dishonored. The said transaction clearly shows that the petitioner has got no concern with the accused persons. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the complainant and learned A.P.P appearing for the State have vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that petitioner is also involved along with other co-accused persons in the alleged case.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna in connection with Complaint Case No.



3599(C) of 2016, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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