

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53505 of 2022**

Arising Out of PS. Case No.-169 Year-2018 Thana- HATHUA District- Gopalganj

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Arun Giri Son Of Late Paras Giri @ Parasnath Giri R/O Village- Jalalpur Bazar, P.S.- Jalalpur, Dist.- Saran At Chapra. At Present Residing At - 2/C/8, H/O- Chi-Min-Saran I, Sanjeev Palli, P.S.- Parnashree, Dist.- Kolkata, Pin- 700034, West Bengal

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MUNNA KUMAR SON OF LAL BABU PRASAD R/O VILLAGE- MIRZAPUR, P.S.- HATHUA, DIST.- GOPALGANJ

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Yogesh Kumar  
For the Opposite Party/s : Mr.Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      20-12-2022                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 323, 417, 418, 406, 420, 504/34 of the IPC.

According to FIR, petitioner cheated the complainant by assuring him to send him abroad along with his brother in law. For this purpose, he received Rs. 4,20,000/- but he neither sent the complainant and his brother in law to abroad nor returned the alleged money.

It is submitted that as per complaint case, it was father of the petitioner who is alleged to have received the money to



send the complainant and his brother in law abroad. Petitioner is presently holding the post of ASI in West Bengal Police. As soon as the petitioner came to know about the money taken by his father, he immediately returned Rs. 87,000/- to the complainant/informant and he further promised to pay the balanced money and on that basis a compromise petition was also signed by the informant and the petitioner. Petitioner has got clean antecedent.

Considering the facts and circumstances of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Hathua P.S. Case No. 169 of 2018 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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