

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31639 of 2024**

Arising Out of PS. Case No.-1458 Year-2016 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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SANTOMOY CHATTOPADHYAY @ MALTA SON OF LATE
SHANTIMUN CHATTOPADHYAY @ SANTIMOY CHATTOPADHYAY
RESIDENT OF VILLAGE- BARMASIA, PS- KATIHAR, DIST- KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. DILIP KUMAR MANDAL SON OF SAHDEO MANDAL RESIDENT OF
VILLAGE- KALIKAPUR, PS- BARARI, DIST- KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for

the offence punishable under sections 420, 405, 120(B) of the

Indian Penal Code and Section 138 of the Negotiable Instrument

Act.

3. The case of the complaint, in brief, is that this

petitioner introduced one *Deepak Sharma* to the complainant,

who used to provide job in Railway (RRB) and at the instance



of this petitioner the complainant paid Rs. 4,20,000/- in favour of accused person through account No. 00300101201678 of UCO Bank and A/C No. 2070363452 of Allahabad Bank as both the account numbers were given by this petitioner. It is further alleged that the accused persons failed to provide job and, as such, the accused persons committed fraud and cheated the complainant.

4. Learned counsel for the petitioner submits that from bare perusal of the complaint, it is apparent that specific allegation of committing fraud is against co-accused *Deepak Sharma* who allegedly took Rs. 4,20,000/- from the complainant and this petitioner has not received any single penny from the complainant, and as such, no case under Sections 420, 406 and 120B of IPC is made out against him. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the



learned ACJM – V , Katihar in connection with CA Case No.
1458 of 2016, subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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