

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2845 of 2024**

Arising Out of PS. Case No.-2172 Year-2008 Thana- GAYA COMPLAINT CASE District-  
Gaya

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Satish Patel @ Ramakant @ Satish S/o Late Jagdish Prasad @ Late Jagdish Prasad Rao R/o J.P. Memorial Academy, Nawabganj, Ps- Makhdumpur, Dist-jehanabad, Permanent Address at village Sherpur, PS- Chandauti, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamlesh Kumar S/o - Late Ramdev Saw R/o Village- Sherpur, Post-Churi, PS- Chanauti, District-Gaya

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Atul Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      07-02-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with  
Complaint Case No. 2172 of 2008, instituted under Sections  
403 and 420 of the IPC.

3. As per prosecution case, the petitioner had taken Rs  
75,000/- from the complainant for providing job to his younger  
brother in the Railways, but neither he provided job nor did he  
return the said amount to the complainant.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. It is submitted that after inquiry under Section 202 CrPC,  
the Magistrate took cognizance under Sections 420 and 403 of



the IPC on 26-03-2009. It is submitted that the case has been compromised between the parties and debt money of Rs. 75,000/- has been refunded to the complainant. The dispute with regard to money has already been settled between the parties outside the court. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1<sup>st</sup> Class, Gaya, in Complaint Case No. 2172 of 2008, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

**(Khatim Reza, J)**

shyambihari/-

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