

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47669 of 2014

Arising Out of PS.Case No. -221 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Moti Kumar Soni
 2. Suresh Kumar Soni
 3. Chandan Kumar Soni S/o Asharfi Sah (Father's name wrongly written as Dhyanchand Soni in the Complaint Petition).
 4. Kalu Soni S/o Binod Soni (Father name wrongly written as Dhyanchand Soni in the Complaint Petition)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajiv Kumar S/o Shri Narayan Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. J. N. Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 22-06-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 420B and 406 of the Indian Penal Code.

It is alleged that the petitioners were running a non-banking organization namely, S.P.P. Marketing Company

wherein on persuasion of co-accused Bablu Tiwary, the complainant deposited Rs.90/- per week for 13 weeks and was supposed to be given a motorcycle through lottery but it was not given, subsequently, the petitioners and another escaped from the scene.

It is submitted by learned counsel for the petitioners that the petitioners were simply officer bearers and were not proprietor of the alleged company and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the facts that petitioners have not received the amount alleged to be deposited in the S.P.P. Marketing Company and statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gopalganj in connection with Complaint Case No.221 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioners will be accepted on deposit of Rs.15,000/- each before the learned court below, which will be invested in some fixed deposit scheme in connection with the present case, which will be subject to the result of the present case. The learned court below would be at liberty cancel the bail bonds of the petitioners, in case of three consecutive defaults.

Ashwini/-

(Dinesh Kumar Singh, J)

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