

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51132 of 2014

Arising Out of PS.Case No. -29 Year- 2014 Thana -KURSAKANTA District- ARRARIA

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1.Manoj Singh
2.Trilok Singh,
3.Shishupal,
All s/o Baijnath Singh @ Chumman Singh, Village-Tarawari, P.S.
Tarawari, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Raj Ballabh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the parties as with regard to the prayer of the petitioners for grant of anticipatory bail for the offences punishable under Sections-406,420,506/34 of the Indian Penal Code. Learned counsel for the petitioners has only concentrated on the aspect that there is case and counter case and there is no written document to show that entrustment of Rs. 2,05,000/- ultimately is said to have been misappropriated by them.

In the considered opinion of this Court, the moment the petitioners themselves accept that they have placed their ornament to the informant and that subsequently after filing of the FIR against them on

23.02.2014, the petitioners may have filed a complaint case on 11.03.2014 accepting monetary transaction that would by itself, be sufficient to give some sort of support to the allegation made against the petitioners. The informant admittedly was not a registered moneylender and thus there was no question of entrusting ornaments to the informant but if the petitioners have themselves accepted the fact of entrusting the ornaments to the informant and thereafter they have come out with their own version by way of filing of a complaint case against the informant after almost 18 days of the lodging of the present FIR by the informant they would not be entitled for privilege of anticipatory bail.

That being so, the prayer for anticipatory bail of the petitioners is hereby rejected.

Nothing said in this order, however, will come in the way of the petitioners in surrendering before the Court below and praying for regular bail.

(Mihir Kumar Jha, J)

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