

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47263 of 2014

Arising Out of PS.Case No. -2589 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Sunil Yadav S/o - Lalan Yadav R/o - Vill - Raypura, P.S. - Kateya, Dist -
Gopalganj.
2. Ajendra Singh S/o - Late Chandrabali Singh R/o Vill Babu Jamnaha, P.S.
Kateya, Dist - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey

For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 26-06-2015 Heard Mr. Uma Kant Shukla for the petitioners and

Mr. Ram Chandra Singh, APP for the petitioner.

Two petitioners herein apprehending their arrest in
connection with Complaint Case No. 2589 of 2012 under Section
306/34 of the Indian Penal Code have prayed for grant of
anticipatory bail.

According to the complaint, the complainant was
induced by accused Ainul Haque Ansari, the then Manager of
PACCS to invest in Laxmi Deposit Scheme. A sum of Rs.
30,000/- was deposited but after maturity the same was not paid
to the complainant. Eight years thereafter, the complaint has been
lodged.

Contention of the petitioners is that petitioner no. 1 was



elected as Manager of PACCS in the year 2011 whereas petitioner no. 2 has been elected as Chairman of the PACCS in the year 2009. He relies in this regard on Annexure-2 series. The counsel has pointed out from the complaint itself that it was the then Manager namely Ainul Haque Ansari who had indulged in such misappropriation of the deposits of several such depositors and had gone to jail also.

Considering the aforesaid, I am persuaded to privilege them with anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.K. Tripathy, Judicial Magistrate, 1st Class, Gopalganj in Complaint Case No. 2589 of 2012 (Tr. No. 4338 of 2014) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioner shall appear

in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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