

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43760 of 2015

Arising Out of PS.Case No. -365 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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Kunal Mishra Son of Surendra Mishra, resident of village - Rudrapur,
Police Station - Andhra Thadhi, District - Madhubani, at present residing at
Street No. 136/ K, Hospital Road, Police Station - Uttara para, District - Hugli
(West Bengal).

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 19-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Earlier case diary of the present was called for, which
has since been received.

The petitioner apprehends his arrest in connection with
Aurangabad Town P.S. Case No. 365 of 2011 registered for the
offences punishable under Sections 420, 467, 468, 406, 120B of
the Indian Penal Code.

Learned counsel for the petitioner submits that only
because of being son of one Surendra Mishra, who is the director
of the OCPL company, petitioner's name has come in the context



of the present case. It is further submitted that at the relevant point of time, the petitioner, namely Kunal Mishra was a minor and had nothing to do with the aforesaid transaction between the depositors and the company. It is further submitted that originally, in the complaint, Kumkum Mishra, the mother of this petitioner, had been made accused but on account of the reasons, best known to the complainant, her name was struck down and name of the petitioner has been inserted by way of overwriting.

Having considered the entire materials available on record and after perusing the allegations, made in the complaint petition, it does not appear that this petitioner had participated in the transaction between the depositor and the company, in any manner. There is no narration regarding the involvement of the petitioner and moreover, the name of the petitioner has been included in the complaint petition after striking down the name of mother of the petitioner by way of overwriting. As such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town

P.S. Case No. 365 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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(Anjana Mishra, J)

