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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24019 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -HAJIPUR SADAR District-VAISHALI(HAJIPUR)

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Amit Kumar Sinha @ Amit Sinha Son of Sanjay Kumar Sinha resident of village / Mohalla - Nawab Bahadur Road, P.O. + P.S. Khajekalan, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Suraj Narain Singh, Sr. Adv.
Mr. Deepak Kumar, Adv
For the Informant : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioner, informant and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No. 41 of 2016 for the offences registered under Sections 406, 420, 467, 471, 120(B)/34 of the Indian Penal Code.

Learned Sr. Counsel appearing on behalf of the petitioner submits that so far as this petitioner is concerned, no prima facie case is made out against him as, admittedly all allegations are against the main accused namely, Sumit Sinha, who is already in custody. The present petitioner is the brother

of said Sumit Sinha and the allegation as per the first information report is that the petitioner had also participated in the fraud which was committed by his brother. The brother of the petitioner was only a petty employee in the said Vastu Vihar, who has been maliciously roped in by the high ups of the company when they themselves came under the surveillance of such depositors. It is further submitted that the brother of the petitioner had also filed a case, which is prior to the filing of the present case bearing Gandhi Maidan P.S. Case No. 33 of 2016 on 31.01.2016 and the entire allegations are nothing but a ploy to cover up their own misdeeds.

After hearing learned counsel for the petitioner and the informant at length, it appears that the entire family has been roped in only for the purpose of recovery of money which has been clandestinely taken from prospective buyers of flats of the company of Vastu Vihar in which the informant is the In-charge Director (Administration).

Having considered all aspects of the matter and that the petitioner has clean antecedents and also because the main accused, namely Sumit Sinha has already been taken into custody, 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 released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 41 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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