

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34017 of 2016

Arising Out of PS.Case No. -41 Year- 2013 Thana -DHURAIYA District- BANKA

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1. Ranjan Kumar Gupta Son of Asharfi Sah Resident of Village & P.O.- Mahadeopur, P.S.- Pranpur, District- Katihar.
 2. Vimal Kumar Son of Late Arjun Poddar, Resident of Babu Tola, Amarpur Road, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-08-2016

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Dhuraiya P.S. Case No. 41 of 2013 registered for the offence punishable under Sections 406, 420, 467, 468, 471 and 120B of the Indian Penal Code.

The prosecution case, as lodged by the informant, Circle Officer, Dhuraiya, is with regard to Apna Pariwar Agro Farming Developer India Ltd., which is a non-financial company, where large scale irregularities and illegalities are alleged to have been committed and petitioner no.1 is the Computer Operator and petitioner no.2 is the Assistant in the said company.



It has been submitted by the learned counsel for the petitioners that petitioners are the employees of the said company and are not concerned with day-to-day affairs of the said company. He submits that another person, who is named in the First Information Report, namely, Binod Kumar, has since been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 16325 of 2016 on 10.05.2016. He submits that petitioners have no criminal history, as is evident from paragraph 3 of this application.

However, learned A.P.P. for the State submits that petitioners are the employees and are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioners are employees of the said non-financial company, let the petitioners, named above, in the event of their arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 41 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that the petitioners will

cooperate with the investigation and appear before the police/
Court as and when required and their failure to appear before the
learned Court below on two consecutive dates, if required, without
assigning any reason will entail cancellation of their bail bonds
without being prejudiced by this order.

(Nilu Agrawal, J.)

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