

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27244 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

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Anjani Kumar, Son of Ramdeo Singh, Resident of Village- Manwara, P.S.
Khanpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar Manglam, Advocate

For the Opposite Party : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 10-11-2016 Heard learned counsel for the petitioner as well as

learned Additional P.P. for the State.

Originally, informant filed a complaint case bearing
Complaint Case No.1482 of 2015 on 20.07.2015 and the said
complaint case was converted into police case vide Khanpur
P.S.Case No.21 of 2016. The prosecution case is that the victim
was working as an agent in a cooperative society and petitioner
was manager of the aforesaid cooperative society. Being agent of
the aforesaid cooperative society, the victim collected huge
amount from the several persons and got deposited the said
amount with cooperative society but when the policy of customers
matured the petitioner being manager of the aforesaid cooperative
society refused to make payment to the customers who started

pressurizing the victim for returning the money. The informant claims that on 03.07.2015, victim went to the house of petitioner and since then he was found missing. The informant went to the house of the petitioner in search of the victim and found the bicycle of victim.

From perusal of para-4 of the case diary, I find that the statement of informant was recorded whereas para-5 of the case diary contains the statement of father of the victim. Therefore, it is obvious that after registration of the case, the investigating officer visited to the house of the informant but the informant did not produce any bicycle before the investigating officer as the investigating officer did not seize any bicycle. Moreover, except the family members of the informant, none has supported the prosecution case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order be released on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-III, Samastipur in connection with Khanpur P.S.Case No.21 of 2016

subject to the condition as laid down under section 438(2) of the Cr.P.C. till submission of the chargesheet.

However, it is made clear that the petitioner shall cooperate the investigating officer in course of investigation and shall appear whenever and wherever his presence is required.

(Hemant Kumar Srivastava, J)

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