

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44635 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -BHELDI District- SARAN

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1. Vinay Kumar Singh S/o Late Ram Babu Singh R/o Village- Adupur,
P.S.- Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Bheldi P.S. Case No. 17 of 2016, disclosing offences under Sections 406, 420, 468, 464, 504 323 and 120(B) of the Indian Penal Code.

It is alleged that while acting as promoter-cum-agent of Ever Light Real Com Infrastructure Limited, the petitioner made the informant to pay a total sum of Rs. 2,25,000/-, on an assurance of good returns. It is alleged against the petitioner that he along with partners/office bearers of the said Company, misappropriated the amount given by the informant.

Learned counsel, appearing on behalf of the petitioner has submitted that much before the lodging of the complaint



petition by the informant, on the basis of which the First Information Report has been registered, the petitioner had filed a complaint petition in 2011 itself, implicating the Director and office bearer of the said Company with an allegation that the petitioner had been cheated by them. Learned counsel for the petitioner has further submitted that after having received the amount from the informant, the petitioner had duly given him a receipt to acknowledge the payment of the said amount. He contends that the petitioner himself, is a victim of fraud played by the said Company and its Director and officer bearers.

Considering the nature of accusation and the submission, advanced, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Bheldi P.S. Case No. 17 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear

before the Court on two consecutive occasions, his bail bond shall
be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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