

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38472 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -GOPALGANJ District- GOPALGANJ

- =====
1. Radheshyam Singh
 2. Pawan Singh @ Pawan Kumar Both sons of Shiv Pujan Singh
 3. Shiv Pujan Singh son of Satyanarayan Singh All resident of village- Kateya Tola Makham Rai, P.S.- Mahmaddpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Ashar Mustafa
Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-11-2016 Heard both sides.

The petitioners apprehend their arrest in Gopalganj
P.S. case No. 96 of 2016 under Section 420, 406, 120B of the
Indian Penal Code.

The informant filed a complaint case on the basis of
which the present FIR was registered. The informant alleged that
Radheshyam Singh was studying with his daughters in the
Navodaya Vidyalaya and he was acquainted with the family
members of the informant from before. Radheshyam Singh and
two other accused persons came to the house of informant and
disclosed that he was Shipping Manager at Mumbai. The accused

persons assured providing job to Sankalp Suman, son of the informant, and demanded Rs. four lacs. On the assurance of petitioner No.1, Radheshyam Singh, the informant deposited Rs. two lacs in different accounts.

The learned counsel for the petitioners submits that there is no allegation against Pawan Singh @ Pawan Kumar and Shiv Pujan Singh. They are brother and father of Radheshyam Singh that is why they have been made accused.

The learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for anticipatory bail and submitted that Radheshyam Singh persuaded the informant to deposit the money in different accounts and the accounts belong to girl friend, brother of girl friend and one acquainted person of Radheshyam Singh.

Considering the nature of allegation made against petitioner No.1, Radheshyam Singh, that on his assurance the informant deposited money in the accounts of his girl friend, brother of girl friend and his another friend, I am not inclined to enlarge petitioner No.1 on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner No.2, Pawan Singh @ Pawan Kumar and petitioner No.3, Shiv Pujan Singh, is

concerned, there is no allegation against them

Considering the facts aforesaid, the above named petitioners No.2 and 3, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Gopalganj P.S. Case No. 96 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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