

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38619 of 2016

Arising Out of PS.Case No. -67 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Akbar Ali Son of Abdul Rashid resident of Village Arjuna , P.S. Harish
Chandrapur, District Malda (W.B).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 30-11-2016

Rejoinder to the counter affidavit is filed.

Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 420, 406 of the Indian Penal
Code.

It is alleged that at the instigation of petitioner and
two other F.I.R. named accused, informant gave rupees one lac as
security money to join as Branch Manager of Shine India
company and got deposited huge amount of customers with the
aforesaid company but at the time of maturity, the aforesaid
company refused to make payment and petitioner as well as his



associates locked up the said company.

Learned counsel for the petitioner submits that even if the prosecution story assumed to be true, then also, the petitioner was also an employee of the said company and moreover, there is nothing in the written report to show that petitioner was Director of the said company. It is also submitted that co-accused, Abdul Kalam Azad @ Abul Kalam Azad and Azizur Rahman, having more or less similar allegation, have already been granted privilege of bail by a co-ordinate Bench of this Court.

On the other hand, learned counsel appearing for the informant opposed the prayer submitting that in course of investigation, it came to light that petitioner received some amount and got deposited the said amount in his own account.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 67 of 2014.

(Hemant Kumar Srivastava, J)

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