

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39072 of 2015

Arising Out of PS.Case No. -3158 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Insan Ali S/o Nawab Ali Resident of Village Singalpur, Police Station
Sonali, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anuj Kumar Mandal S/o Late Ganesh Chandra Mandal Resident of
Village Madansahi, Police Station Paranpur, District Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 02-03-2016

Heard Mr. Khan for the petitioner, the Counsel for

the informant and the APP for the State. A supplementary affidavit
has been filed on behalf of the petitioner stating that warrant of
arrest has been issued against the petitioner.

Petitioner is facing prosecution punishable under
Sections 406 and 420 of the Indian Penal Code vide Complaint
Case No. 3158 of 2013.

The petitioner projected himself as the Director of the
Company called ‘Kishan Parwar Agro Farming Ltd.’ and
collected huge money through collecting agents. The complainant
has alleged that a sum of Rs. 80 lakhs was deposited in the name
of her father-in-law which was not returned to the complainant.
The office was closed and the accused persons shifted the office.



Counsel for the petitioner submits that wherefrom 80 lakhs were deposited is not disclosed. No document in support thereof has been produced. No actual depositor with the Company has filed any such case. The complainant himself has filed another case against the petitioner which is pending. Considering the above, co-accused Hakim Ali, who also figures as an accused, has been released on anticipatory bail by the learned Court below.

Having heard the parties, I am persuaded to extend the privilege of anticipatory bail to the petitioner.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in C.A.Case No. 3158 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any

cogent/satisfactory reason, the Trial Court shall have liberty to
cancel the bail bond of the petitioner and secure his arrest in
accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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