

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24574 of 2016

Arising out of P.S. Case No. -563 Year- 2013 Thana -BHAGALPUR
KOTWALI District- BHAGALPUR

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1. Kranti Mandal Son of Sikandar Mandal, Resident of Village- Bastapur, P.S.- Dhoriaya, District- Bhagalpur.
 2. Samar Kumar, Son of Late Radhey Sah, Resident of Village- Rajabar, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s: Dr. Kr. Uday Pratap (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

05. 03.08.2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kotwali (Tatarpur) Police Station Case No. 563 of 2013, disclosing offences under Sections 406, 409, 420, 467, 468 and 120(B) of the Indian Penal Code.

It is alleged that the Informant and others were allured to deposit money on assurance of giving them very good returns. The concerned company, Astha International Limited which had an Office at Bhagalpur subsequently disappeared. It is alleged against the petitioners that they were also instrumental in alluring the depositors to deposit money in the account of the Company. It is also alleged that for redressal of their disputes, some of the depositors including the Informant and the petitioners had gone to meet the office bearers of the Company. Certain cheques were issued in favour of the Informant which stood dishonoured on

being presented in the Bank.

Learned counsel appearing on behalf of the petitioners has submitted that there is no chance that the petitioners are free from course of investigation if granted anticipatory bail. It has further been submitted that the petitioners themselves are victims of the fraud committed by the said Company since they had also deposited money in the said Company.

Considering the facts and circumstances and nature of accusation, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhagalpur, in connection with Kotwali (Tatarpur) P.S. Case No. 563 of 2013, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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