

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15255 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Amit Kumar Singh
 2. Lala Kumar Both sons of Ajay Kumar Singh
 3. Ajay Singh @ Ajay Kumar son of Late Rama Shankar Singh
 4. Umrawati Devi wife of Ajay Kumar Singh All residents of Village : Ghosiyan, P.S.: Nokha, District : Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sada Nand Roy, Advocate.
For the Opposite Party : Ms. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-07-2016 Heard both sides.

The petitioners apprehend their arrest in Nokha P.S. Case No. 156 of 2015 registered for the offences punishable under Sections 419, 420, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that the petitioners took Rs. 91,000/- from him in his SBI A/C No. 32599827190 from Bank of India A/C No. 5791301100000053. It is alleged that the petitioners also took money from different persons. But without returning the same closed the business firm.

It is submitted that there was agreement between the parties for starting a business in partnership. The petitioners took Rs. 91,000/- from the informant, but they did not take money from other partners. The petitioners have already returned Rs. 30,000/- to the informant and

they are ready to return the remaining Rs. 61,000/- to the informant.

Learned counsel for the informant, however, opposed the prayer for anticipatory bail of the petitioners and submitted that many other persons have also given money to the petitioners.

Considering the facts aforesaid and the fact that a partnership firm was established for running a business and the petitioners are ready to return Rs. 61,000/- to the informant within three weeks, the petitioners above named, in the event of their arrest or surrender before the 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) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sasaram, Rohtas in Nokha P.S. Case No. 156 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is, however, made clear that if the petitioners fail to return the aforesaid amount within a period of three weeks from today, their anticipatory bail shall stand rejected.

(Prabhat Kumar Jha, J.)

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