

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4482 of 2016

Arising Out of PS.Case No. -1269 Year- 2010 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

- =====
1. Birendra Kumar Mandal @ Birendra Pd. Mandal S/o- Kamal Kishore Mandal
 2. Shiv Prasad Mandal, S/o- Ramdhari Mandal
- Both resident of village- Gangapur, Kolwara, Tola, Alamnagar, P.S.
Ratwara (Alamnagar), District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Subhash Mandal, S/o- Late Mahadev Mandal, Resident of village- Gangapur, Kolwara Tola, P.s.- Ratwara (Kishanpur), District- Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 02-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 406 of the Indian Penal Code.

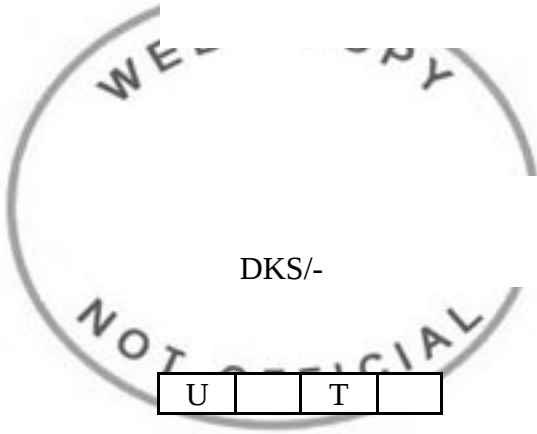


It is alleged that the petitioners and others persuaded the complainant and other villagers to invest in Ma Durga Vikas Samiti a non-banking financial company wherein the complainant and others deposited Rs.1,92,103/- when the complaint was filed 2010, but the initial complaint was dismissed but subsequently in view of the revisional order processes have been directed to be issued after taking cognizance vide order dated 24.03.2015. Statement to that effect has been made in paragraph 5 of the petition.

It is submitted by learned counsel for the petitioners that there is nothing on the record to suggest that the petitioners were working in the alleged non-banking company and there is no proof with regard to the payment being received by the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Udakishunganj at Madhepura in connection

with Complaint Case No. 1269 of 2010, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.



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(Dinesh Kumar Singh, J)