

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9458 of 2016

Arising Out of PS.Case No. -46 Year- 2015 Thana -BARARI District- KATIHAR

1. Mukesh Choudhary, S/o- Ramrup Choudhary.

2. Baby Devi, W/o- Mukesh Choudhary.

3. Sujita Devi @ Suchita Devi, W/o- Sri Ganesh Choudhary

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that the accused persons including the petitioners persuaded the informant to invest in non-banking financial company namely Polly Indian Agriculture Indian Limited Branch at Barari on assurance of giving handsome return. Consequently, the informant invested Rs.2,97,600/- but in the month of January, 2014 when the investment amount got

matured the informant found the alleged non-banking company closed. Subsequently, one Ganesh Chaudhary agreed to return the maturity amount but he also failed to give money when demand being made by the informant she was abused by calling caste name.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the management of the alleged financial company. The Memorandum and Articles of Association has been brought on record, which suggests that the petitioners were not involved in the management of the said financial company. Admittedly, the money was deposited in the alleged financial company. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. In fact, the petitioners have been roped in the present case since they happen to be the relative of Ganesh Chaudhary, who was in the management of the said financial company.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar in connection with Barari

(Semapur) P.S. Case No.46/2015, subject to the conditions as laid
down under Section 438(2) Cr.P.C.



Ashwini/-

(Dinesh Kumar Singh, J)

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