

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54686 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -GOPALPUR District- BHAGALPUR

- =====
1. Rajesh Mandal Son of late Kisho Mandal
 2. Shalo Mandal@Shaligram Manda Son of Arjun Mandal
 3. Bindeshwari Yadav Son of Chhanguri Yadav All resident of Village:- Bhawanipur, P.S.- Gopalpur(Rangra), District- Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar
2. Police Yadav S/o Late Tonuki Yadav, R/o village Bhatta, P.S. Ismailpur, District- Bhagalpur

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-03-2017 Notice has been issued upon Opposite Party No.2 vide order dated 17-01-2017. Service is held to be valid, as the said notice was received by the Opposite Party No.2 himself but no one has filed appearance on behalf of the Opposite Party No.2.

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Gopalpur (Rangra) P.S. Case No. 100 of 2016, corresponding to G.R. No. 435 of 2016, for the offences instituted under Sections 341, 323, 406, 420, 467, 468, 471 and 504/34 of the Indian Penal Code.



The prosecution case, in brief, is that the petitioners opened a non-banking company namely Shiv Gouri Yuva Committee, Bhawanipur, in which, the informant deposited Rs. 87, 760/- on the assurance of the petitioners that the said amount will become double in two years but after expiry of two years, the petitioners refused to pay the amount to the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. They have falsely been implicated in the present case. From perusal of para-14 and 39 of the case diary, it is evident that the amount of informant has already been returned to him. The other co-accused has been granted anticipatory bail vide Cr. Misc. No. 238 of 2017.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today, in connection with Gopalpur (Rangra) P.S. Case No. 100 of 2016, corresponding to G.R. No. 435 of 2016 on furnishing bail bonds of Rs. 10,000/-



(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Naugachia, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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