

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13778 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -DIGHWARA District- SARAN

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1. Pradeep Kumar Rai, Son of Sri Sheo Narayan Rai, resident of village - Chhot Jhauwa, P.S. Awtar Nagar, District - Saran at Chapra
 2. Vinod Kumar Rai, Son of Sri Ram Pukar Rai, resident of village - Chhot Jhauwa, P.S. Awtar Nagar, District - Saran at Chapra

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Jeetendra Narayan, Advocate

For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 406, 471 and 120(B) of the Indian Penal Code.

The petitioners were agents of Weird Industries Limited a company involved in financial transaction with the public. The office bearers of the company are also accused in this case. Allegation is that on the persuasion of the petitioners, the complainant and others had deposited money with the company to get more benefit. However, the company did not refund the money and cheated the complainant.

Submission of the learned counsel for the petitioners is that in fact the petitioners had also deposited in the said



company and they were also cheated. The petitioners were not in a position to hold any control over the functioning of the company and the allegation is false that on the persuasion of the petitioners, the complainant and others deposited money, rather to get better return they volunteered to deposit the money.

Considering the position of the petitioners in relation to the company, in my view, they deserve anticipatory bail. Accordingly, they are directed to be released on anticipatory bail, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Saran at Chapra/successor Court in connection with Dighwara Police Station Case No. 64 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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