

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40313 of 2017

Arising Out of PS.Case No. -2415 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Satyam Kumar, Son of Rajeev Kumar Singh, R/o M/s S.S.R. Gas Agency, Soghara-2, Dairy Road, P.S.- Barauni in the District of Begusarai.
2. Rahul Ranjan Son of Ashok Kumar Singh, R/o Village- Bihat Tola Maksheshpur, Ward No. 17, P.S.- Barauni in the District of Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Kanhaiya Kumar, Son of Mani Bhushan Singh, R/o Village- Koraiy, P.S.- Garhpura in the District of Begusari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 2415 of 2016 instituted for the offence under Sections-420, 426 of the Indian Penal Code and Section-138 of N.I. Act.

It has been submitted that the alleged amount of Rs. 3,50,000/- which was given as advance by the complainant to the petitioners for some dealership of the gas agency has already been returned. Annexure-3 has been filed by the petitioners in support of receipt of Rs. 3,50,000/- on behalf of S.R. Gas Agency on 27-08-2016. Counsel for petitioners has submitted that the cheque which was given by the complainant as security money has again been used by the complainant and thereafter, instant case has been filed.



Notice was issued to opposite party No. 2. Name of one of the lawyers is appearing in daily cause list but today none has appeared in court.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 2415 of 2016 to the satisfaction of Sri Ravindra Kumar, learned Sub Judge-V-cum-ACJM-IV, Begusarai subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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