

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58763 of 2017

Arising Out of PS.Case No. -3977 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Tanmay Ganguly Son of late Deb Kumar Ganguly Resident of 2nd Floor, Fomra Tower, 84A, A.J.C. Bose Road, P.S. Shiv Rajpur, District-Kolkatta.

2. Tilak Raj Sharma Son of Mr. B.N. Sharma Resident of 2nd Floor, Fomra Tower, 84A, A.J.C. Bose Road, P.S. Shiv Rajpur, District- Kolkatta.

3. Vijay Agrawal Son of late Major Sahai Resident of Dudhala Line Road, P.S.- Dudhala, District- Palwal (Hariyana).

.... Petitioner/s

Versus

1. The State of Bihar

2. Dhananjay Kumar Tripathi Son of late Pandit Bhola Nath Tripathi Resident of Village- Nirakhpur, Patna, At Present residing at House No. 33, Ram Krishna Path, West Sri Krishnapuri , P.S. Srikrihnपुरi, Boring Road, Patna- 800013.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 3977 C of 2015 instituted for the offence under Sections-420, 406 of the Indian Penal Code.

It has been submitted that an amount of Rs. 10,000,00/- has been returned by the petitioner to the complainant. The compromise has already been entered into between the parties, which is annexed as Annexure-3 series.

In the complaint petition, it is alleged that the complainant paid Rs. 1,00,000/- as security money in favour of the company and the



complainant also paid Rs. 5,00,000/- through different cheques in favour of the company for supply of Spare Parts. The complainant also invested Rs. 5,00,000/- for establishing the dealership business under the banner of Sai United Equipments for smooth running of dealership business.

As per submission of learned counsel for the petitioner, Rs. 10,00,00/- has already been returned by the petitioner to the complainant. The complainant has entered into compromise and copy of compromise petition has been annexed as Annexure-3.

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 in Complaint Case No. 3977 C of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge-VII, Patna 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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