

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58471 of 2017

Arising Out of PS.Case No. -536 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Indrani Jaiswal, Wife of Dilip Kumar Diwakar, Resident of Meena Niketan, Vijay Nagar, P.S.- Town, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar, Son of Ram Chandra Mahto, Resident of Mokh Tola, Mokama, P.S.- Mokama, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No. 536C of 2015 instituted for the offence under Section-420 of the Indian Penal Code.

It has been submitted that the complainant claims to be an agent of Active Group of Company. It is alleged in the complaint petition that the petitioner was one of the directors of the aforesaid company. The complainant alleged that he and another customers deposited the amount in the aforesaid company at the behest of petitioner on promise that money will be doubled in five years and total five lacs was deposited in the company but the company did not return the money and finally, the company was closed and misappropriated the entire money.



It has been submitted that this petitioner is a lady. There is no any specific allegation of overt act against her of misappropriating the amount. It has further been submitted that the complainant has filed compromise petition in the court below and he has compromised the case with the petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his 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. 536C of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh, 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) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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