

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15579 of 2017

Arising Out of PS.Case No. -136 Year- 2013 Thana -GOGRI District- KHAGARIA

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1. Mahavir Jain @ Mahavir Kumar Jain,
2. Nand Lal Jain, Both sons of Late Mishri Lal Jain, Resident of Village
Shastri Nagar, Police Station Bhilwada, District- Bhilwada, State-
Rajasthan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-04-2017 Heard both sides.

The petitioners apprehend their arrest in Gogri P.S.
Case No. 136/2013, registered for the offences punishable under
Sections 406, 420 of the Indian Penal Code.

The informant alleged that he deals in food-grains
through Mahavir Jain (petitioner no. 1) and Nand Lal Jain
(petitioner no. 2). He supplied food-grains of worth Rs.
35,00,000/- to Ravindra Feeds, Panipat. Ravindra Feeds gave him
Rs. 12,00,000/-, but still Rs. 23,00,000/- is lying due. The owner
of Ravindra Feeds, Panipat disclosed that the petitioners took
money from him to hand over the same to the informant.

Learned counsel for the petitioners submits that
petitioners are commission agent. There is no chit of paper to



show that the owner of Ravindra Feeds, Panipat gave any amount to the petitioners. The owner of Ravindra Feeds, Panipat and the informant entered into the compromise and thereafter, the informant again received Rs. 12,00,000/- from the owner of Ravindra Feeds, Panipat, but Mr. Ram Sumiran Rai learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners took money from the owner of Ravindra Feeds, Panipat.

Considering the facts aforesaid and the fact that there is no chit of paper to show that the petitioners received any money from owner of Ravindra Feeds, Panipat in order to hand over the same to the informant, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Khagaria in connection with Gogri P.S. Case No. 136/2013, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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