

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34920 of 2017**

Arising Out of PS.Case No. -99 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

- =====
1. Shyamlal Prajapati, Son of Angad Ram Prajapati, R/o Village- Khajhara, P.S.- Mohania, District- Kaimur.
  2. Anil Kumar Chaurasia, Son of Nagina Chaurasia, R/o Village- Bhatti, P.S.- Mohania, District- Kaimur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

2      16-08-2017

Heard both sides.

The petitioners apprehend their arrest in Ramgarh P.S. case No. 99 of 2017 under Section 420, 406, 467, 468/34 of the Indian Penal Code.

The informant filed complaint case No. 869 of 2016 on the basis of which the present FIR was registered. The complainant named the petitioners and other accused persons and alleged that Anil Kumar Chaurasia, petitioner No.2, took Rs. 3000/- per month from him and deposited the same in Barkha Finance Ltd. but after maturation of the amount no money was paid to the complainant.

The learned counsel for the petitioners submits that



Company issued the cheque but the cheque was not honoured. Aslam Siddiqui filed Complaint case No. 189 of 2017 against Rahul Kumar, who is said to have issued the cheque.

It appears that although the informant named the petitioner No. 1, Shyamlal Prajapati, but did not make any allegation of taking money against him. Accordingly, the petitioner No.1, Shyamlal Prajapati, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Kaimur, Bhabua in connection with Ramgarh P.S. case No.99 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as case of petitioner No.2, Anil Kumar Chaurasia is concerned, the informant made specific allegation that it was the petitioner No.2 who used to collect Rs. 3000/- per month from the informant and the informant deposited 12 installments but after that the company was closed and not a single farthing was paid to the informant.

Considering the fact that petitioner No.2, Anil



Kumar Chaurasia, was the agent and he used to collect money from the informant but no money was returned, I am not inclined to enlarge the petitioner No.2 on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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