

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43790 of 2017

Arising Out of PS. Case No.-317 Year-2016 Thana- AGAMKUAN District- Patna

Kamaljeet Singh, Son of Sri Lakshman Singh, R/o Mohalla- New Mainpura,
Saguna More, Danapur, P.S.- Danpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Kumar, son of Sri Shakuni choudhari, General Manager, M/s
Prema Motors Private Limited, Kumharar, Kankarbagh Main Road, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Mishra

For the Opposite Party/s : Mr. TARKESHWAR NATH THAKUR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 19-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Agamkuan Police Station Case No. 317 of 2016, disclosing
offences under Sections 419, 420, 408, 467, 468, 471 and 120B
and 337 of the Indian Penal Code.

The petitioner has been made accused in Agamkuan Police
Station Case No. 290 of 2016 also, registered for the offence
punishable under Sections 419, 420, 408, 467, 468, 471 and
120B of the Indian Penal Code.

Learned Counsel for the petitioner has submitted that the
present First Information Report contains same allegation as



contained in the said Agamkuan Police Station Case No. 290 of 2016, but supplying names of few more customers, who, according to the informant, have been cheated, the present First Information Report has been registered.

Learned Counsel appearing on behalf of the petitioner has submitted that as a matter of fact, there was no need of registering another First Information Report for the same occurrence on the ground of subsequent audit report obtained by the informant. Learned Counsel for the petitioner has also submitted that the petitioner has been granted anticipatory bail in connection with Agamkuan Police Station Case No. 290 of 2016, by an order of this Court, dated 12.12.2017, passed in Criminal Misc. No. 38984 of 2017. He contends that so far as the present First Information Report is concerned, a similarly circumstanced co-accused, Jashu Kumar, has been granted anticipatory bail by order, dated 17.10.2017, passed in Criminal Misc. No. 40449 of 2017.

Though learned Additional Public Prosecutor, appearing for the State, has opposed the prayer for anticipatory bail on the basis of materials collected in course of investigation, in view of the fact that similarly circumstanced co-accused person has been granted anticipatory bail, this application is allowed.



Let the petitioner, Kamaljeet Singh, in the event of his arrest or surrender before the Court below within six weeks, be released 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, Patna City, in connection with Agamkuan Police Station Case No. 317 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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