

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2301 of 2018

Arising Out of PS.Case No. -31 Year- 2017 Thana -KHARAGPUR District- MUNGER

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1. Sanjay Kumar Yadav, President, Bar Association, Kharagpur, son of late Raghuveer Yadav, resident of village- Near Gayatri Mandir, Police Station- Kharagpur, District- Munger,
 2. Chaubey Kumar, Joint Secretary, Bar Association, Kharagpur, son of Anandi Das, resident of village- Dhapri, Police Station- Kharagpur, District- Munger,
 3. Pramod Yadav @ Pramod Kumar Yadav, Joint Secretary, Bar Association, Kharagpur, son of Harish Chandra Prasad Yadav, resident of village- West Azimganj, Police Station- Kharagpur, District- Munger.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-01-2018

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in **Kharagpur**
P.S. Case No.31 of 2017 instituted for the offence under
Section(s) 409, 420, 466, 467, 468, 471,120-B Indian Penal
Code.

Counsel for the petitioners has submitted that there
is dispute between the office bearers of Bar Association of
Kharagpur, Munger. Informant has been elected as Secretary of
the Bar Association on 15.04.2017 and prior to him petitioners
were President and Joint Secretary of the aforesaid Bar



Association.

There is allegation that the petitioner did not hand over relevant registers to the informant-newly elected Secretary. It is also alleged that as per model rules, there is provision that withdrawal of the money can be made only on the direction of the President by the signature of the Secretary and Treasurer. Rs.3,200/- has been withdrawn illegally through cheque by petitioner nos.2 and 3.

Counsel for the petitioners has submitted that it is only a matter of dispute due to election of local Bar Association. It has further been submitted that during course of investigation it was found that the petitioners have deposited the amount with the State Bar Council for renewal of Bar Association, Kharagpur.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Kharagpur P.S. Case No.31 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Munger**, subject to the conditions as laid down under Section 438(2) 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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