IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12235 of 2018
Arising out of Complaint Case No.-570 Year-2015 Thana- COMPLAINT CASE District-Supaul

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1. Shiv Narain Ram, Son of late Asharfi Ram
2. Santosh Kumar Ram
3. Surendra Kumar Ram,
   Petitioner nos. 1 and 2 are sons of Shiv Narain Ram

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar Yadav, son of Brij Mohan Yadav, Resident of Village-Ramnagar, P.S. -Bhaptiyahi, District-Supaul

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned Counsel for the petitioners and learned APP for the State.

The petitioners are apprehending arrest in a complaint case, wherein, process has been directed to be issued after cognizance being taken for the offences punishable under Section 420 of the Indian Penal Code.

The prosecution case as per the complaint petition is that on 20.02.2012, the petitioner claiming to be Field Officer of Mahindra Group of Companies, persuaded the complainant to take loan on deposit of Rs.21000/- each by a group of twenty persons. The complainant collected Rs.4,20,000/- from 19 persons and handed over the same to the accused persons, but neither the loan amount was refunded nor the money deposited

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was returned.

It is submitted by learned counsel for the petitioners that for the occurrence of 2012, the complaint was filed in 2015. The complainant himself runs the alleged Mahindra Finance Chit Fund Company. The petitioner earlier lodged Birpur P.S. Case No. 146 of 2013 against the complainant and, hence, as a retaliatory measure, the present case has been lodged. It is further submitted that there is no proof with regard to the payment made to the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State the accusation is specific against the petitioner.

Considering the delayed lodging of the complaint coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Birpur (Supaul) in connection with Complaint Case No.570C of 2015,

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subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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