IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12921 of 2018

Arising Out of PS.Case No. -431 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Roushan @ Raushan Kumar S/o Late Achutanand Choudhary, Resident of Village-Chak Prayag, P.S.-Parbatta, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Gogri P.S.Case No.431 of 2017 registered for offences punishable under Sections 341, 323, 406, 419 and 420/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with seven other persons opened 'Cheat-Fund Scheme' and started collecting Rs.100/- for providing motorcycle and Rs.150 for providing Car and collected huge amount of money and thereafter they are not giving Motorcycle and Car.

Submission of the learned counsel for the petitioner no receipt has been issued by the petitioner and the same has been issued by other accused persons and except that the allegation is that he has also opened Scheme but there is absolutely nothing

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against the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as the fact that as no receipt has been issued by the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria in connection with Gogri P.S.Case No.431 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

With following conditions :

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
(ii) The petitioner will not induce any witness or tamper with the evidence.
(iii) The petitioner shall co-operate in the investigation and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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