

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29074 of 2018

Arising Out of PS. Case No.-281 Year-2017 Thana- PIRBAHOR District- Patna

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1. Rahul Kumar @ Rahul Modi, aged about 26 years, Son of Bajrang Lal Modi, resident of Bankipur Gorakh, Fatuha, P.O. & P.S. Fatuha, District- Patna.
 2. Amit Kumar Agarwal @ Amit Agarwal, aged about 27 years, son of Prem Kumar Agrawal, resident of Bankipur Gorakh, Fatuha, P.O. & P.S. Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Pirbahore P.S. Case No. 281 of 2017, registered under Sections 419,
420, 467, 468 and 471 of the Indian Penal Code.

The allegation of informant, Jagdish Kumar Jain, is that
in course of inspection of his firm Shree Tulsi by the officials of CBI
and Commercial Tax Department, North Circle, he came to know that
TIN/ User I.D. and Password of his firm was used illegally in
transaction of Rs. 12 to 13 crores in the name of his firm Shree Tulsi.
Then he inquired and found that Mirtunjay Kumar @ Tinku,
accountant of his firm, illegally transferred the TIN/ User I.D. and



password of the firm. M/S Kumar Agrawal and associates firm of petitioners engaged in the work of Chartered Accountant.

Learned counsel for the petitioners submits that, in fact, Pirbahore P.S. Case No. 233 of 2017 was instituted, on 18.05.2017, under Sections, 467, 468, 471, 465, 464 and 406/34 of the Indian Penal Code and Sections 81(1)(B), 81(2), 81(3)(B) and 81(4) of the Bihar Vat Act, 2005, on the basis of written report of Assistant Commissioner, Commercial Tax Patna, against the informant of the present case, in which, petitioners being the Clerk and Accountant and Mirtunjay being the account have been made accused. The informant only to create defence for said case has lodged the present case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 Chief Judicial Magistrate, Patna, in connection with Pirbahore P.S. Case No. 281 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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