

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2655 of 2018

Arising Out of PS.Case No. -228 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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1. Saroj Kumar Singh, S/o Dharam Nath Singh,
 2. Minchun Devi W/o Saroj Kumar Singh, Both R/o Village- Manganpur, P.S.- Bhagwanpur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kritika Kumari W/o Sanjeev Kumar Bandey , R/o Mohalla- Pankaj Road Near Hospital, P.S.- Mithanpura, Distt.- Muzaffarpur.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-04-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No. 228 of 2015 registered for offences punishable under Sections 406 and 420 of the Indian Penal.

The case of the complainant is that the complainant is a poor woman and the petitioners herein had offered to make investment in their company whereafter the complainant is said to have deposited certain amount with the company of the accused persons, namely, Green Construction Private Limited, Vaishali, however, subsequently neither the flats nor the money was given



to the complainant.

The learned counsel for the petitioners submits that there is no material on record to show that the petitioners have given any money to the accused persons and further it is submitted that at best the present case can be said to be a case of civil dispute and the remedy of the complainant lies before a court of competent civil jurisdiction. It is submitted that the petitioner has been falsely implicated in the present case on account of village rivalry. The petitioners are said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East, Muzaffarpur in connection with Complaint Case No. 228 of 2015, Tr. No. 2175 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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