

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56978 of 2017

Arising Out of PS.Case No. -370 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Mahesh Kumar son of Sukhdeo Prasad @ Narayan Prasad
2. Sandeep Kumar Son of Sukhdeo Prasad Both Resident of Mohalla- Bari
Pahari, P.S.- Laheri, District- Nalanda at Biharsharif

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Amarendra Kumar Singh
For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2018 Heard the learned counsel for the petitioners and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Laheri P.S. Case No. 370 of 2017 registered for the offences punishable under Sections 420 and 406/34 of the Indian Penal Code.

The allegation against the petitioners is taking cash amount and land from the owner of one I.B.L. Company which is a non-banking institution resulting in the depositors losing money and not getting their money despite being promised to return the same.

The learned counsel for the petitioners submits that the transaction, if any, is paper transaction and in any view of the matter allegations levelled are in the nature of civil dispute, hence no criminal liability is made out. It is further submitted that upon perusal of the case diary it would transpire that the investigation is



still going on and the Police has not reached to a particular conclusion about the complicity of the petitioners herein. In such view of the matter, the learned counsel submits that the petitioners are ready to join investigation. 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 enlarge the petitioners above named, 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 anticipatory bail 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 370 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioners herein will join the investigation and would be present at the requisite place where they are directed to be present by the investigation. In case the petitioners do not cooperate the prosecution / the Police would be free to approach this Court for cancellation of bail.

(Mohit Kumar Shah, J)

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