

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58196 of 2018

Arising Out of PS. Case No.-255 Year-2018 Thana- GIRIYAK District- Nalanda

-
1. Binod Manjhi
 2. Bhola Manjhi, Both Sons of Naresh Manjhi
 3. Guddu Chaudhary, S/o Binda Chaudhary
 4. Babloo Malakar, S/o Amrit Malakar @ Amrit Bhagat, All resident of Village- Saukuchi, Dih, P.S.- Katrisarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend arrest in Giriyak (Katrisarai) P.S. Case No. 255 of 2018 dated 05.07.2018 instituted under Sections 419/420/467/468/471 of the Indian Penal Code and 66 of the I.T. Act.

3. The allegation against the petitioners and three others is that they were cheating through mobile phone, the customers of Flip Kart Company.

4. Learned counsel for the petitioners submitted that they were not caught on the spot and also there is no recovery



from them. Learned counsel further submitted that no person has complained of being cheated through the persons alleged to be involved in the crime. It was further submitted that the petitioners have no criminal antecedent.

5. Learned A.P.P. submitted that such crime is becoming common and it cannot be expected that persons who are cheated all over the country and even outside, would make a complaint as they are not aware as to who and from which place is committing such fraud and, thus, the mere fact that the equipment and name of various customers of Flip Kart Company, who were not connected to the accused, having been recovered and two persons also caught having admitted to their role and also implicating the petitioners, they do not deserve the privilege of anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

