

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57390 of 2018

Arising Out of PS.Case No. -11 Year- 2015 Thana -BELA INDUSTRIAL District-
MUZAFFARPUR

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Prakash Kumar Srivastava, S/o Late Chandra Shekhar Srivastava, R/o
Mohalla- Sherpur Road Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 20.09.2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bela P. S. case no. 11/2015 registered under sections 419,
420, 406, 467, 468, 471, 341, 323, 504/34 and 120B of the
IPC.

According to the prosecution case itself, co-accused
Alok Kumar Srivastava claimed himself to be the proprietor
of Maahalaya Company and petitioner being brother of
Alok Kumar Srivastava introduced himself employee of the
aforesaid company and instigated the informant to invest
amount into the said company. However, on the inducement



of the petitioner, the informant invested huge amount in the said company.

Learned counsel for the petitioner submits that, altogether, six cases were instituted against the petitioner and others and petitioner has already been granted privilege of anticipatory bail by a co-ordinate bench of this court in Kazi Mohammadpur P.S. Case No. 532 of 2015 and Ahiyapur P.S. case no. 730 of 2015. He, further, submits that the entire allegation of taking money revolves against co-accused Alok Kumar Srivastava and said Alok Kumar Srivastava has been enlarged on provisional bail by a co-ordinate Bench of this court vide order dated 21.02.2018 passed in Cr. Misc. No. 12547 of 2017 with condition that the said accused shall deposit rupees thirty five lakhs within six months from the date of his release. He submits that several other co-accused have also been granted privilege of anticipatory bail by different benches of this court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind that entire allegation centers around co-accused Alok Kumar Srivastava who has already been granted provisional bail, in the event of arrest/ surrender within four



weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate 12, Muzaffarpur in Bela P. S. case no. 11/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

Shahid/Abhijeet

(Hemant Kumar Srivastava,J)

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