

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9388 of 2018

Arising Out of PS. Case No.-196 Year-2017 Thana- KURSAKANTA District- Araria

Shakaldeo Mandal, Son of Satya Narayan Mandal, Resident of Village-
Bakhari Fulwari, P.S.-Kursakanta, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-02-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 323, 406, 420 and
504 of the Indian Penal Code.

Initially the prosecution case got initiated with filing of
Complaint Case No.152C/2017, which came to be registered as
Police Case being Kursakanta P.S Case No.196 of 2017, after its
being transferred to the police under Section 156(3) of the Code
of Criminal Procedure.

The prosecution case is that the informant gave
Rs.1,50,000/- to the petitioner with specific instructions to
invest the said amount in particular manner, but the aforesaid



amount was not invested, though an agreement was executed between the informant and petitioner to the effect that the aforesaid money will be invested in Sahara India, financial investment company.

It is submitted by learned counsel for the petitioner that the agreement does not suggest that any instruction was given for investing the aforesaid amount in Sahara India, rather it was a loan given in cash to the petitioner and the same was returned in cash to the informant. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur learned APP for the State that the thrust of accusation is against the petitioner.

Considering the nature of accusation arising out of contractual nature of dispute, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Araria, in connection with



Kursakanta P.S. Case No. 196 of 2017, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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