

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2211 of 2018

Arising Out of PS. Case No.-533 Year-2014 Thana- KADAMKUAN District- Patna

1. Manoj Kumar Chandel,
2. Bashist Kumar Singh, Both sons of Krishnanand Singh, Resident of Mohalla- Road No.23, House No. 176, Krishna Nagar, Patna Sadar, Patna- 800001.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

with

Criminal Appeal (SJ) No. 2265 of 2018

Arising Out of PS. Case No.-533 Year-2014 Thana- KADAMKUAN District- Patna

Krishna Nand Singh S/o Late Kartik Singh, R/o Mohalla- Road No. 23, House No. 176, Krishna Nagar, Patna Sadar, Patna-800001.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In Criminal Appeal (SJ) No. 2211 of 2018)

For the Appellant/s : Mr. Lakshmi Kant Sharma

For the Respondent/s : Mr. Binay Krishna

(In Criminal Appeal (SJ) No. 2265 of 2018)

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

Heard learned counsel for the parties.

These appeals are under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 17.05.2018 and 05.06.2018 in A.B.P. No. 2884 of



2018 and A.B.P. No. 3814 of 2018 respectively passed by the learned 5th Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Kadamkuan P.S. Case No. 533 of 2014 registered under Sections 406, 420/34 of the Indian Penal Code as well as Sections 3(viii)(x) of the SC/ST Act.

Appellant Krishna Nand Singh is father of appellants Manoj Kumar Chandel and Bashist Kumar Singh. Allegation is that the appellants floated a company named as IDIO Construction and Industries (India) Limited having its registered office at Dariyapur, Gola Road, Patna. The Company advertised in daily newspaper for recruitment on certain posts, copy of the advertisement is enclosed with the counter affidavit. One of the conditions for recruitment was that the person who was wards of the promoters or promoters themselves or shareholders shall be preferred in the appointment. Being persuaded by that several persons including the informant purchased share in the company to get status of promoters/shareholders. However, the company cheated them. The receipts of deposit of money by different persons with the company is enclosed with the counter affidavit. The FIR further discloses that some of the depositors got some job in the



company, however, they were immediately removed therefrom under a pre-planned design.

Learned counsel for the appellants submits that entire documents are forged and fabricated documents created at the instance of Tirumala Infrabuild Pvt. Ltd. with whom the company of the appellants had dispute before the National Company Law Tribunal, Kolkata and the judgment is in favour of the company of the appellants.

Learned counsel for the informant submits that the documents brought on the record *prima facie* establishes that the appellants deliberately cheated different consumers who have supported the allegation during investigation of the case.

Considering the nature of allegation and material available on the record, in my view, the appellants do not deserve anticipatory bail. Hence, prayer for anticipatory bail is refused.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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