

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2422 of 2019

Arising Out of PS. Case No.-309 Year-2009 Thana- AURANGABAD TOWN District-
Aurangabad

1. Sekhar Kumar Bandyopadhyay @ Shekhar Bandyopadhyay Sitanasu
Bandyopadhyay resident of house no. 337/2 Anjangarh, Police Station-
Shyam Nagar Jagdal, Distt.- 24 Pargana (West Bengal)

... .. Petitioner

Versus

1. The State of Bihar
2. Shailesh Kumar Hari Charan Singh resident of Village- Tufanganj, Police
Station - Amas, Distt.- Gaya. (Bihar)

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 21-01-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Aurangabad Town P.S. Case No. 309 of 2009 for the offence
under Sections 406, 420, 467, 468/34 of the Indian Penal Code.

There are seven persons named in the First
Information Report on the allegation of misappropriation of a
sum of Rs.1,15,000.00 deposited by the insurance holders. The
petitioner was not named in the First Information Report.

Learned counsel appearing on behalf of the
petitioner submits that his name has surfaced in course of
investigation and there is no tangible material to connect this
petitioner with the offence alleged. He has referred to an order,



dated 16.08.2018 passed in Cr. Misc. No. 47044 of 2018, whereby similarly circumstanced co-accused Dhiraj Prasad @ Dhiraj Kumar Prasad has been granted anticipatory bail.

Considering the fact that similarly circumstanced co-accused has been granted anticipatory bail, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in Aurangabad Town P.S. Case No. 309 of 2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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