

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9330 of 2019

Arising Out of PS. Case No.-412 Year-2018 Thana- GANDHIMAIDAN District- Patna

1. Chandani Kumari @ Chandani, Daughter of Shri Shambhu Singh, Director of M/S Sarapati Education Private Limited Having its Office at 507, Patna One Mall, Dak Bungalow Road, Patna and Residing at 204, Amar Kunj Apartment North Shri Krishnapur, Police Station- Shri Krishnapuri, District- Patna.
2. Sardar Singh, Son of Shri Rjendra Singh, Director of M/S Sarapati Education Private Limited Having its Office at 507, Patna One Mall, Dak Bungalow Road, Patna and Residing at 204, Amar Kunj Apartment North Shri Krishnapur, Police Station- Shri Krishnapuri, District- Patna.

... .. Petitioners

Versus

1. The State of Bihar
2. Rama Shankar Prasad, son of Late Rameshwar Prasad, resident of Flat No. 403, Balajee Residency, New Dak Bangla Road, P.S. Gandhi Maidan, Patna

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-04-2019 Petitioners seek bail in anticipation of their arrest in connection with Gandhi Maidan P.S. Case No. 412 of 2018, registered for the offences punishable under Sections 467, 468, 471, 406, 420/34 of the Indian Penal Code and Section 138 of Negotiable Instrument Act.

Allegation as per FIR is that an agreement has been arrived at between the Prem Prakash Vidyarthi and the son of the informant with respect to franchisee of Junior D.P.S. and in view of that they have taken Rs.2,10,000,00/- and not providing



any franchisee and when money was demanded a cheque for Rs.37,000,00/- was issued by Prem Prakash Vidyarthi which was bounced and so far petitioners are concerned, they are Directors of M/s Sarapati Education Pvt. Ltd., which runs the DPS.

Submission of learned counsel for the petitioners is that even according to the FIR there is no allegation against these petitioners and no agreement has reached between them and further the cheque has also been issued by Prem Prakash Vidyarthi, who assured in the court below that he was ready to pay back the amount.

Heard learned APP and learned counsel for the informant also.

Having heard both sides and in the facts and circumstances, as stated above, let petitioners, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Rajeev Nayan, Sub-Judge-XVII-cum-ACJM-I, Patna, in connection with Gandhi Maidan P.S.Case No. 412 of 2018, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure and further condition that one of the bailors of the petitioners shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and further condition is that the petitioners have to co-operate in the investigation, otherwise the prosecution is given liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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