

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69237 of 2018

Arising Out of PS. Case No.-317 Year-2016 Thana- PATNA COMPLAINT
CASE District- Patna

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1. Sumant Singh @ Sadhu Jee S/o Devanand Singh
 2. Sunita Devi W/o Sri Sumant Singh Both residence of Village- Babupur, P.O.- Sadishapur, P.S. Naubatpur, District- Patna and presently resident of Mohalla- Surya Bihar Colony near Poddar Tiles, P.S. Rupaspur, District- Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. Shri Ramugrah Singh S/o Late Rampat Singh, Resident of Village+ P.O.- Basuhar, P.S. Punpun, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioners : Mr.Rajesh Kumar
For the O.P. No. 2 : Mr. Prabeen Kumar Singh, Advocate.
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 324, 379, 420, 504 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Complaint Case No. 317(c) of 2016.

3. It is submitted that the petitioners have been falsely implicated as petitioner no. 2 merely an agent of Weird Infrastructure Corporation Ltd and petitioner no. 1 is her husband. It is not in dispute that the petitioner had deposited an amount of Rs. 1,00,000/- received from the complainant with the said Company which had issued a debenture certificate (Annexure-2). The petitioners are not liable for default made by the company in repayment of the amount upon maturity. The petitioner no. 1 claims clean antecedents while petitioner no. 2



has one prior case of similar nature relating to similar allegation and in which she has been granted bail by this Court.

4. Learned counsel for the complainant appears and has been heard.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Masaurhi, Patna in connection with Complaint Case No. 317(c) of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no.1 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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