

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76944 of 2019

Arising Out of PS. Case No.-125 Year-2016 Thana- BELHAR District- Banka

1. AJAY MAHTO @ AJAY KUMAR MAHTO @ AJOY MAHTO, Son of Rameshwar Mahto, Resident of Village- Piluwa, P.S.- Bounsi, District- Banka.
2. Balram Manjhi, Son of Jhagru Manjhi, Resident of Village- Jamjori, P.S.- Hansdiha, District- Dumka (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of **Belhar (Khesar) P.S. Case No. 125 of 2016**, disclosing the offences under Sections 118, 406, 420, 467, 468 and 471 of the Indian Penal Code, but cognizance has been taken under Sections 406, 409, 420 and 120(B) of the Indian Penal Code.

Complaint petition is the basis for registration of First Information Report. There are 11 persons named in the First Information Report and it is alleged that they cheated the informant and others under false assurances that if any amount was invested by the people with the company, they would be



getting attractive returns. The amount of the Investors including that of the informant deposited with the company is said to have been misappropriated.

On reading of the complaint petition it is not evident as to who had approached the informant and others and the amount was paid to whom.

Learned counsel appearing on behalf of the petitioners has submitted that there is no specific role mentioned in the complaint petition which is basis for the First Information Report defining his role.

On perusal of the complaint petition, I find some substance in submission made on behalf of the petitioners that no specific role of the petitioners has been mentioned in the petition.

Considering the above, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Banka**, in connection with **Belhar (Khesar) P.S. Case No. 125 of 2016**, subject to the condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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