

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75380 of 2019

Arising Out of PS. Case No.-152 Year-2019 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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1. Anil Kumar, son of Ram Hulas Chaudhary Resident of Village and P.O.- Sahdullahpur, P.S.- Ganga Bridge, District- Vaishali, at present resident of Pairij food product Pvt. Ltd, P.S.- Industrial area, District- Vaishali
 2. Sanjeet Kumar Son of Ram Hulas Chaudhary
 3. Vishal Kumar Son of Vimal Chaudhary
 4. Rakesh Kumar Son of Raj Kishore Chaudhary
- Petitioner Nos. 2 to 4 are residents of Village- Mangurahi, P.S.- Ganga Bridge, District- Vaishali and at present resident of Pairij food product pvt. Ltd., P.S.- Industrial area Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shatrudhan Chaudhary, son of Late Ramswaroop Chaudhary, resident of village+P.O. - Sahdullahpur, P.S.- Ganga bridge, District-Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Industrial Area P.S. Case No. 152 of 2019, registered under Sections 420, 406, 467, 468, 471 and 120B of the Indian Penal Code.

The accusation is that O.P. No.2 (Shatrudhan Chaudhary) and petitioner no.1 (Anil Kumar) are main partner



of M/s. S.A. Food Products and M/s. Jaduwa and Pairij Food Products Pvt. Ltd. in which petitioner no.2 (Sanjeet Kumar) is also co-partner. Petitioner Nos.1 and 2 are own brother, who are recording the accountancy of the aforesaid two industries. Dispute arose between O.P. No.2 (Shatrudhan Chaudhary) and petitioner no.1 (Anil Kumar), petitioner no.2 (Sanjeet Kumar). In the meantime, petitioner no.1 (Anil Kumar) and petitioner no.2 (Sanjeet Kumar) who were prepared forged agreement, on which petitioner no.4 (Rakesh Kumar) and petitioner no.3 (Vishal Kumar) put their signature as a witness and the said agreement was used in Complaint Case No. 1561 of 2019 in the Court of Chief Judicial Magistrate, Vaishali in CS(Com) No. 217 of 2019 in Delhi High Court and also in the office of Director-cum-Commissioner Industries, Uttar Pradesh. Since the petitioner no.1 had more share in both industries, due to that reason he used to run the account of both industries and misappropriated the money from the account, when O.P. No.2 asked about forged agreement then petitioner no.1 (Anil Kumar) and his brother petitioner no.2 (Sanjeet Kumar) showed their ignorance.

Learned counsel for the petitioners submits that petitioner no.1 and complainant-O.P. No.2 are partners in the



companies, namely, M/s. S.A. Food Products and M/s. Jaduwa and Pairij Food Products Pvt. Ltd. and due to business dispute, the present case has been lodged with false allegation. The petitioners have no criminal antecedent.

Having regards to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 152 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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