

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79932 of 2018

Arising Out of PS. Case No.-83 Year-2014 Thana- UDAKISHUNGANJ District- Madhepura

Mahtab Alam Son of - Late Md. Abbas, resident of Mohalla- Mayaganj, P.S.-
Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Saheb, S/o- Shri Lal Mohammad Saheb, resident of Kalasan Bazar,
P.S. Caousa, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakritita Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-04-2019 This is an application for grant of anticipatory bail in connection with Udakishunganj P.S. Case No. 83 of 2014, disclosing offences under Sections 406, 420, 468, 469 and 34 of the Indian Penal Code.

Allegation as per complaint petition is that the complainant was approached by accused number no.1 mentioned in the complaint petition to deposit money in his company named as Pratigya Housing Finance & Construction Pvt. Ltd. and he will get Rs.1,500/- on depositing of Rs.1,000/- and as such, he has deposited Rs.2,90,240/-, but on maturity, the same has not been returned to him. Petitioner is not named in the F.I.R., later on his name transpired by filing another petition.

Submission of learned counsel for the petitioner is that he is not named in the F.I.R., later on his name transpired by filing



another petition, but nothing has been mentioned as to whether the petitioner has taken any money from the complainant or he has issued any receipt or he is office bearer of the company.

Heard learned A.P.P. as well as learned counsel for the complainant, the have opposed the prayer for anticipatory bail of the petitioner on the ground that the petitioner was the Manager in that company.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj (Madhepura), in connection with Udakishunganj P.S. Case No. 83 of 2014, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that the petitioner shall cooperate in disposal of the trial and will appear as and when required by the court.

(Vinod Kumar Sinha, J)

Amjad/-

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