

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4814 of 2020

Arising Out of PS. Case No.-52 Year-2009 Thana- PURNEA SADAR District- Purnia

1. MADAN BHAGAT Son of Bhola Bhagat Resident of Village - Bela Champawati, P.S.- Sarsi, Distt - Purnea at present residing at Gulabbagh, Hasda Road, behind Cold Storage, P.S.- Sadar, Distt - Purnea
2. Rinku Jaiswal Wife of Madan Bhagat Resident of Village - Bela Champawati, P.S.- Sarsi, Distt - Purnea at present residing at Gulabbagh, Hasda Road, behind Cold Storage, P.S.- Sadar, Distt - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2020 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 420 and 120B of the Indian Penal Code.

The accusation against the petitioners is that he realized Rs.80,000/- from the informant on assurance for installing mobile tower on roof top of the informant's house, but neither the mobile tower has been installed nor the money has been returned to the informant.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the accused



persons and the petitioners are ready to return the alleged amount.

It is submitted by learned APP for the State that the accusation is specific against the petitioners.

Considering the fact that the FIR was registered in 2009 and the anticipatory bail application has been preferred after eleven years taking a simple plea that the petitioners were residing outside the state, this Court is not inclined to release them on anticipatory bail. However, considering the present stand of the petitioners, it is a case for consideration of prayer for regular bail by the learned Court below.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in Purnea Sadar P.S. Case 52 of 2009, pending before the learned CJM, Purnea.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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