

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22465 of 2020

Arising Out of PS. Case No.-309 Year-2019 Thana- CHHATAUNI District- East Champaran

1. SNEHA ASHISH BHATACHARYA S/o Bijan Bihari Bhattacharya Resident of Kachari, P.S.- bhupati Nagar, District- East Mednipur, West Bengal.
2. Mirtunja Sahu S/o Hari Podo Sahu Resident of Village- Bangrupahid, P.S.- Bhagwanpur, Distt- East Mednipur, West Bengal
3. Gautam Kumar Sahu S/o Milan Kumar Sahu Resident of Village- North Sandalpur, P.S.- Icchobari, Distt- East Madnipur, West Bengal
4. Krishna Chandra Das Son of Manoranjan Das Resident of Village- Radhapur, P.S.- Bhupatinagar, Distt- East Mednipur, West Bengal.
5. Bipplaw Pahari Son of Makahi Pahari Resident of Village- Krishnapur Bandhuchak, P.S.- Beldar Mukti Nagar, Distt- Mednipur, West Bengal.
6. Subhash Mathani Son of Bijan Mathani Resident of Village- Purvi Pahari, G.P.-9, Lata Bariya, P.S.- Bhupati Nagar, Bhawanipur, District- East Mednipur, West Bengal.
7. Vishwajeet Bera Son of Sukumar Bera Resident of Village- Dakshai Bariya, P.S.- Bhupati Nagar, Distt- East Mednipur, West Bengal.
8. Somen Mandal @ Soman Mandal S/o Mohan Mandal Resident of Village- Jamboli, P.S.- Salbonic, West Mednipur, West Bengal
9. Sashank Bera S/o Sukumar Bera Resident of Village- Panpara, P.S.- Salbonic, Distt- West Mednipur, West Bengal.
10. Victor Mathani @ Victor Maity @ Victor Mauti S/o Belai Charan Mauti Resident of Hemathani, P.S.- Santang, Distt- West Mednipur, West Bengal.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anand Kishore Mishra Son of Baidyanath Mishra Resident of Batrauliya, P.S.- Chhatauni, Distt- East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rakesh Kumar Sharma, Advocate
For the State	:	Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 22-01-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.



Two supplementary affidavits have been filed on behalf of the petitioners. Same be kept on the record.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 420, 406, 467, 468, 471, 120B/34 of the Indian Penal Code.

Allegation is that the accused persons cheated the depositors by depositing amount in Non-Banking company and on maturity refused to pay the same.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners have been made accused due to mistake of fact. From bare perusal of the F.I.R., it would appear that what was the amount invested with the Non-Banking finance by the investors have not been disclosed. A vague allegation has been made. The petitioner No.1 is the Managing Director, petitioner No.2 is the C.M.D. and rest of the petitioners are the employees of the Non-Banking finance. It has further been submitted on behalf of the petitioners that the petitioners No.1 and 2 will jointly deposit the amount of



Rs.10,00,000/- (Ten lacs) in the court below, which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioners No.1 and 2 are directed to deposit jointly the amount of Rs.10,00,000/- (Ten lacs) in the court below, which shall be subject to final disposal of the case. On doing so, let all the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Chhatauni P.S. case No.309 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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