

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13327 of 2021

Arising Out of PS. Case No.-511 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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SANJAY KUMAR @ SANJAY PASWAN Son of Late Naresh Paswan
Resident of Village - Mirchak, P.S. - Gurua, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramdeo Paswan Son of Late Prayag Paswan Resident of Village Bara, P.S.
Gurua, District - Gaya.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 40860 of 2021

Arising Out of PS. Case No.-511 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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ASHOK KUMAR CHAUDHARY S/O MADHESHAWAR CHAUDHARY
R/o village- Mirchak, P.S.- Gurua, District- Gaya

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SUKINI DEVI W/O LATE RAMDEV PASWAN R/o village- Barha, P.S.-
Gurua, District- Gaya

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 13327 of 2021)

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.APP

(In CRIMINAL MISCELLANEOUS No. 40860 of 2021)

For the Petitioner/s : Mr.Kunwar Narayan Jamuar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 06-07-2022 Heard learned counsel for the petitioners and learned

APP for the State.

The instant application for anticipatory bail has been



filed by the petitioners apprehending their arrest in connection with Complaint Case No. 511 of 2018 instituted for the offence punishable under Section 420 of the Indian Penal Code.

As per allegation in the FIR, petitioner Sanjay Kumar and Ashok Kumar Chaudhary along with other two accused persons came to the house of complainant and advised him to deposit money in a company namely Chakra Infrastructure Limited and the complainant influenced by the petitioner, and he deposited an amount of Rs. 5,60,000/- in the said company. When the complainant was in need of money, he approached the said company, where accused persons abused him and directed to go from there. Being nati of the complainant, petitioner Sanjay Kumar had taken the complainant in his confidence and pursue him to deposit the said amount.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Both the petitioners are also victim of the said forged company. They have also deposited an amount of 20,000/- and 10,000/- respectively, which is mentioned in Annexure-5 series to the petition. Petitioners have not introduced any forged and fraudulent documents to the complainant. There is no documentary evidence in respect of



embezzlement made by the petitioners. Apart from this, the matter is purely civil in nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Complaint Case No. 511 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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