

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14815 of 2022

Arising Out of PS. Case No.-549 Year-2019 Thana- RUPASPUR District- Patna

1. GOPAL PANDEY Son of Late Chandrahansh Pandey R/o Village - Amathu, Post - Durgadih, Amathu, Durgadi, Rohtas, Vikramganj, Bihar - 802212
2. Sujit Kumar Son of Sh. Anil Kumar R/o 463A, Main Road, North Side, Phuro, Post - Phusro Bazar, P.S.- Bermo, Phusro, Bokaro, Jharkhand - 829144
3. Hare Ram Tiwary Son of Sh. Bhagwan Tiwari R/o Kujhi, Rohtas, Bihar - 802219

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420 and 406/34 of the Indian Penal Code.

It is a case of cheating and misappropriation of the government fund.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that petitioner no.1, namely, Sh. Gopal Pandey, the complainant, gave Bank Guarantee to Trycon Company to supply goods to co-accused Avinash Gopal Gautam. It is further alleged that on 17.07.2019, Trycon Company encashed the said Bank Guarantee for the supply goods. It is further alleged that



complainant transferred Rs.5,80,000/- through IMPS to co-accused Avinash Gopal Gautam. It is further alleged that Avinash Gopal Gautam thrown out the complainant from the business on demand of money. It is, however, admitted that Avinash Gopal Gautam returned Rs.2,32,000/-. It is further alleged that on demand for return rest of money, petitioner no.2 threaten to abduct whole family of the complainant and kill them. Petitioners have got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Danapur, Patna in connection with Rupaspur P.S. Case No. 549 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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