

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30883 of 2022

Arising Out of PS. Case No.-594 Year-2018 Thana- SUPAUL District- Supaul

1. RAM SHANKAR KUMAR S/o vindeshwai Yadav Resident of Ward No.12, Surkaha, P.O.- Lodh, P.S.- District- Supaul
2. Raj Kumar S/o Surendra Prasad Yadav Resident of Ward No.12, Surkaha, P.O.- Lodh, P.S. and District- Supaul.
3. Raj Kumar S/o Ramchandra Yadav Resident of Ward No.12, Surkaha, P.O. Lodh, P.S. and District- Supaul
4. Subhash Kumar S/o Surendra Yadav Resident of Ward No.6, maujha, P.S.- Kishanpur, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that petitioners and 15 others are said to have opened account in the State Bank of India, Supaul Branch and also obtained welcome kit which is given to new account holders,



thereafter it is alleged by the Branch Manager of the Bank that petitioners and others have been defrauding people on some pretext or the other.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that petitioners are students and the allegation in the F.I.R is vague and cryptic as it does not even remotely suggest how the act of fraud is being committed by the petitioners and other accused persons, the learned counsel next submits that similarly situated co-accused Archana Kumari, Tribhuvan Kumar, Bechan Kumar and Sushil Chandra have been granted the privilege of regular / anticipatory bail.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners at their leisure had approached the Court in 2022, it is next submitted that process under Section 82 and 83 of the Cr.P.C may have been issued against the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Supaul P.S. Case No. 594 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors shall be the father of the respective petitioners, further before accepting bail bond of the petitioners, the learned court below shall verify as to whether process under Section 82 and 83 of the Cr.P.C has been issued against the petitioners or not in the event if process under section 82 and 83 of the Cr.P.C has been issued prior to the petitioners approaching the learned District Judge for anticipatory bail then the present order shall not be given effect.

(Satyavrat Verma, J)

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