

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51225 of 2021

Arising Out of PS. Case No.-606 Year-2020 Thana- BAGHA District- West Champaran

1. SMT. ANJU KUMARI W/o Shri Dhiraj Kumar R/o village- Bhargavi Complex, Dumwalia, P.S.- Bagaha (Patkhauli), District- West Champaran
2. Smt. Shakuntla Devi W/o Shri Prem Chandra Prasad R/o village- Bhargavi Complex, Dumwalia, P.S.- Bagaha (Patkhauli), District- West Champaran
3. Anil Kumar Jaiswal S/o Late Jai Mangal Prasad R/o village- Mahnar Bazar, House No. 48, P.S.- Mahnar, Distt.- Vaishali

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Braj Kishore Singh Chouhan
For the State	:	Mr. Mohammad Sufyan
For the Informant	:	Mr. Piyush Kumar Pandey
		Mr. Nishant Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 09-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 120B, 406, 420, 465, 467, 468 and 471 of the Indian Penal Code.

The allegations against the petitioners is that they



have misappropriated the money of the firm.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that so far allegation of misappropriation of Rs.1 crore is concerned, it is false as the bank statement will prove as to how much amount was credited and how much was debited against all the liability which the informant has not supplied. The informant has also filed a petition being Company Petition no.175 of 2014 before the National Company Law Tribunal (NCLT), Kolkata, which is still pending for adjudication. It also submitted that for the same offence earlier also a case was filed in which the petitioners are on anticipatory bail.

Learned APP for the State assisted by learned counsel for the informant vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as well as the fact that the matter is already pending before the Company Law Tribunal, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from



today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bagaha (Dumwalia) P.S. Case No.606 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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