

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1668 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- DALSINGHSARAI District- Samastipur

MANJU DEVI W/o- Anjani Kumar Jha Resident of Village - Kapan, Ward
No. 2, P.S. - Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8744 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- DALSINGHSARAI District- Samastipur

Anjani Kumar Jha @ Anjani Jha S/O Late Gauri Jha Resident of Village-
Kapan, Ward No. 2, P.S. Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1668 of 2022)

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : APP

(In CRIMINAL MISCELLANEOUS No. 8744 of 2022)

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023

Heard learned counsel for the parties.

The petitioners have preferred this application for
grant of regular bail in a case registered under sections 406, 420
and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the
informant that Pankaj Kumar Choudhary and other accused



persons who happen to be his wife, nephew as also his sister and brother-in-law who are the two petitioners herein and working in the capacity of his agent caught the informant and other persons named in the FIR to invest on the false assurance that they would get higher rate of interest on their investment. However, at the time of return/payment of their amount, they started to avoid the informant and others and hence the instant case.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. From perusal of the FIR itself it would transpire that the main accused is one Pankaj Kumar Choudhary and the reason of false implication of the two petitioners herein is that the petitioner Manju Devi happens to be sister of the said Pankaj Kumar Choudhary while Anjani Kumar Jha happens to be the husband of Manju Devi. The petitioners have no concern with the investment etc. which has been narrated in the FIR. They are in custody since 27.10.2021 and have no criminal antecedent. It is submitted that a number of coaccused have been enlarged on anticipatory bail. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State and learned



counsel for the informant.

It is submitted by learned counsel for the informant that the accused persons cheated the informant and others of a total amount of Rs.68 lacs, all the amount having been paid through banking transaction including NEFT. The informant happens to be a software engineer and at least the informant and the accused persons including the petitioners herein be directed to return their amount invested before they are enlarged on bail.

Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioners together with the material that has transpired in course of the investigation, the petitioners having remained in custody for more than a year since 27.10.2021, not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioners to be enlarged on bail in connection with Dalsinghsarai P.S. Case no.195 of 2021/GR No.486 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Dalsinghsarai (Samastipur).

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(Partha Sarthy, J)

