

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39894 of 2022

Arising Out of PS. Case No.-434 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Pramod Kumar Pathak @ Budha @ Pramod Pathak Son of Late Suresh Pathak Resident of Village - New Area, Dehri On Sone, P.s.- Dehri, Distt.- Rohtas. At present R/o Dev nagar Colony, Sector- 2, Kanchanpur, P.S. Maduadih,(Dlw), Bhikharipur, District- Varanasi (U.P.).
 2. Yasbardhan @ Sagar Son of Pramod Kumar Pathak @ Budha @ Parmod Pathak Resident of Village - New Area, Dehri On Sone, P.s.- Dehri, Distt.- Rohtas. At present R/o Dev nagar Colony, Sector- 2, Kanchanpur, Dlw, Bhikharipur, Varanasi (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 06-02-2023 Heard learned counsel for the petitioners, learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

Petitioners apprehend their arrest in connection with
Aurangabad (Town) P.S. Case No.434 of 2021, registered for the
offences punishable under Sections 420, 406 and 34 of the
Indian Penal Code.

As per FIR, the informant gave Rs.66 lacs to the FIR
named accused persons at the instance of the petitioners for the
purpose of business and received Rs.3 lacs only by way of
dividend and capital money. Later inspite of several demand, no



dividend or capital money was being paid by the accused persons and they refused to pay back the dividend and capital money to the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioner No.1 has got two criminal antecedents and petitioner no.2 has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners. It is submitted that the informant has already returned Rs.10 lacs to the petitioners through NEFT.

Learned APP for the State as well as learned counsel appearing on behalf of the informant opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that the disputes relates to business transaction, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Aurangabad (Town) P.S. Case No.434 of 2021, subject to the



conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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