

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52714 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- NAUBATPUR District- Patna

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UPENDRA KUMAR @ RANJAN SON OF SHRI DEVENDRA RAI R/O
VILLAGE - SHERPUR, P.S.- MANER, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate

Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-01-2023 Heard Mr. Vikram Deo Singh, learned counsel for the

petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection
with Naubatpur P.S. Case No. 178 of 2022 for the offence
registered under Sections 406, 420, 467, 468, 471 and 34 of the
Indian Penal Code.

As per the prosecution story, the informant alleged
that the petitioner had established a 'Lok Sewa Samiti Trust'
near Naubatpur with the promise that if Rs. 5,000/- is donated
he/she will be given Rs. 2,000/- per month from the trust and
accordingly, they invested the amount but no such promise was
fulfilled. Accordingly, the present FIR was lodged.

Learned counsel for the petitioner submits that he



himself is a sufferer having been deceived by the makers of the said 'Trust'. However, the submission is that irrespective of the result of this case, the petitioner is ready to refund the amount with interest to the informant as also the other losers/the witnesses to the tune of Rs. 10,000/- to the informant and Rs. 6,000/- each to others.

Learned APP for the State, on the other hand, submits that poor and simple persons were financially put to loss by these kind of persons and as such, he opposed the prayer for anticipatory bail.

Taking into account the fact that the petitioner is a young person and is ready to refund the amount and will ultimately have to face the trial, this Court is inclined to grant him anticipatory bail subject to the condition that he will be refunding the amount to the informant and the other witnesses, the names of which are as follows:

1. Shakuntala Devi- Rs. 10,000/-
2. Sunita Sharma .-Rs.6,000/-
3. Rita Devi- Rs. 6,000/-
4. Manju Devi- Rs. 6,000/-
5. Neha Kumari- Rs. 6,000/-
6. Priyanka Kumari- Rs. 6,000/-



7. Akanksha Kumari- Rs.6,000/-

All the aforesaid payments shall be made through Demand Draft issued by the local State Bank of Indian branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant and other witnesses after checking their respective credentials

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Danapur (Patna) in connection with Naubatpur P.S. Case No. 178 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further condition that

(i) the petitioner shall be visiting the concerned police station every month for next six months to mark his attendance.

(Rajiv Roy, J)

Jagdish/Neha/-

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