

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69804 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- MAIGRA District- Gaya

1. Damodar Prajapati, son of Mungeshwar Prajapati, resident of Village- Pasewa, P.S.- Imamganj, Dist- Gaya
2. Lalan Prasad @ Lalan Kumar, son of Rambhajan Singh, resident of Village- Bhagahar, PS.- Imamganj Dist- Gaya
3. Anil Kumar Mehta, son of Brijnandan Mahto, resident of Village- Bhagahar P.S.- Imamganj, Dist- Gaya
4. Ajay Kumar @ Ajay Prasad, son of Late Mahavir Mahto, resident of Village- Jagatpur, P.S.- Bahadwar Dist- Gaya
5. Badri Narayan Singh @ Badri Narayan Dangi, son of Nemdhari Mahto, resident of Village- Salaiya, P.S.- Bhadwar, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-11-2023 Heard Mr. Sudhir Kumar Sinha, learned counsel

appearing on behalf of the petitioners and the learned APP for

the State.

2. There are five petitioners, who are apprehending
their arrest in connection with Maigra P.S. Case No. 65 of 2023
registered for the offences punishable under Sections 406, 504,
506/34 of the Indian Penal Code.

3. The petitioners are said to be agents of Welfare
Building and Estates Private Ltd., who allegedly by making



conspiracy, duped the mother of the informant and succeeded in getting an amount of Rs.10,000/- deposited for fixed deposit, however, despite the amount having been matured, the same has not been returned, resulting into lodging of the present F.I.R.

4. It is submitted on behalf of the petitioners that from the narrations made in the F.I.R., it is evident that the fixed deposit got mature way back in the year 2021, but the present F.I.R. has been instituted on 11.07.2023. That apart, the person, in whose favour the fixed deposit was done, has not come forward to institute the present F.I.R. Moreover, as per the instruction of the petitioners, it is submitted across the Board that now maturity amount has already been paid to the mother of the informant. The petitioners have got fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners have duped the mother of the informant and taken away the money.

7. Regard being had to the submissions made on behalf of the parties and considering the fact that the money was deposited in a scheme of fixed deposit by the Welfare Building



and Estates Private Ltd. where the petitioners were the agents, coupled with their fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Maigra P.S. Case No. 65 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

8. It is made clear that this order has been passed on the submissions made on behalf of the learned counsel for the petitioners that the maturity amount has already been handed over to the mother of the informant.

(Harish Kumar, J)

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