

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79650 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- SIWAN CITY District- Siwan

1. Sangeeta Bajaj W/O Late Sarwan Bajaj R/O Sitaram Nagar Bailhatta Bazar Siwan, P.S- Siwan Town, Distt.- Siwan.
2. Shalu Bajaj D/O Late Sarwan Bajaj R/O Sitaram Nagar Bailhatta Bazar Siwan, P.S- Siwan Town, Distt.- Siwan.
3. Saurabh Bajaj S/O Late Sarwan Bajaj R/O Sitaram Nagar Bailhatta Bazar Siwan, P.S- Siwan Town, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Kant
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 467, 468, 471, 420, 120(B) and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that he had given Rs. 25 lakh to the petitioner no. 1 and at the time when money was given, it was assured by her and her husband that they will return the money, but the same was not returned. It is further alleged that the petitioner no. 1 has



returned Rs. 2 lakh, Rs. 4 lakh from 2018 to 30.09.2022, and petitioner no. 2 has transferred Rs. 2 lakh in the account of the informant, but still Rs. 17 lakh is not returned by the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the informant is own Bahnoi of the petitioner no. 1, and his greedy eye was on the land of petitioner, which she has sold after death of her husband to repay the loan of the company. He further submits that the informant need some money and he requested the petitioner no. 1 for Rs. 2 lakh and had stated that he would return the same amount within 6 months, then on the order of the petitioner no. 1 her daughter (petitioner no. 2) transferred Rs. 2 lakh from her account in the account of the informant on 24.03.2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that it is a civil/money nature dispute between the parties, 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 Siwan Town P.S. Case No.235 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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