

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27274 of 2023

Arising Out of PS. Case No.-743 Year-2021 Thana- MADHEPURA District- Madhepura

1. Rekha Devi Wife Of Vidyanand Yadav Residents Of Bhawani Nagar Ward No. 13, East Of Kashi I.B., P.S.Saharsa, Po- Saharsa, Distt- Saharsa
2. Vidyanand Yadav Son Of Late Chedi Prasad Yadav Residents Of Bhawani Nagar Ward No. 13, East Of Kashi I.B., P.S.Saharsa, Po- Saharsa, Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar
For the informant	:	Mr. Mritunjay Kumar
For the State	:	Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 02-05-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Madhepura P.S. Case no. 743 of 2021 instituted for the offence under Sections 406, 420, 384, 506/34 of the Indian Penal Code in which after investigation chargesheet submitted u/s 406, 420, 384, 506/34 of the Indian Penal Code and cognizance was taken u/s 406, 420,



506/34 of Indian Penal Code.

Prosecution case in nutshell is that petitioner No. 1, Rekha Devi came in contact with the informant and induced her to open petrol pump on her land which is situated adjacent to NH, at appropriate place for opening petrol pump. Subsequently, a partnership deed was prepared and signed over by both the partners and the deed was submitted to Indian Oil Corporation Limited for further process. Informant has invested Rs. 30,37,000/- (rupees thirty lakhs thirty seven thousands) for installation of tank Etc. It is further alleged that when the IOCL was heading for outlet for alleged petrol pump work, at the same time, petitioner No. 1 sent an information in writing to informant regarding withdrawal the name of Rekha Devi from the partnership deed and also the same information in writing was sent to IOCL. In this way, petitioner No. 1 along with her husband (Petitioner No. 2) taking the informant in their confidence, got her money invested fraudulently invested for the business of petrol pump and they have committed breach of trust and cheated the informant and her husband



by way of taking into their confidence.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have got no criminal antecedent. Learned counsel for the informant concede and admit about the factum mentioned in 6th supplementary affidavit that good sense has been prevailed between the parties and no grievance remained between them. A joint compromise petition has been filed in this regard

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Madhepura P.S. Case no. 743 of 2021, they will be enlarged on bail on furnishing bail bond 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, Madhepura subject to the conditions as laid down under



section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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