

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42988 of 2023

Arising Out of PS. Case No.-2665 Year-2008 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Santosh Kumar Poddar @ Santosh Poddar @ Santosh Kumar, Son Of Sri Narayana Poddar R/O Village- Ward No.9, Molana Chowk, Chhoti Balia, Lakhminian, Lakhaminia, P.S. Balia, District- Begusarai
 2. Shambhu Poddar, Son Of Sri Narayana Poddar R/O Village- Ward No.9, Molana Chowk, Chhoti Balia, Lakhminian, Lakhaminia, P.S. Balia, District- Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pallav Kumar, Son Of Birendra Prasad Singh R/O Village- Badalpura, P.S.- Matihani, District- Begusarai. Proprietor Of- Bhawani Telecom, Sarvodaya Nagar, P.S.- Nagar, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 26-02-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 420, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the notice on behalf of opposite party no.2 was received by her mother, for which an application of jointness has been filed, as such, it is submitted that the opposite party no.2, despite receiving notice, chooses not to appear and contest. It is further



submitted that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the petitioners have been falsely implicated in the case with general and omnibus allegation. It is next submitted that petitioners are salesmen of various companies and sale mobile and SIMs and the complainant alleges that these petitioners had deputed a rickshaw puller to propagate that VODA phone is selling its SIM at a cheaper rate and when the complainant went to the petitioners asking them that as to why they are making such a false propaganda, on which it is alleged that both the petitioners abused. It is next submitted that on account of dispute relating to business, the present false case came to be instituted.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Begusarai in connection with Complaint Case No.2665C of 2008, subject to the conditions laid down



under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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