

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50760 of 2024

Arising Out of PS. Case No.-120 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. Sudama Devi Wife of Rambriksh Chaudhary Resident of Vill- Sundarbag, Road No. 1, Imlichowk, P.S.- Bela, District- Muzaffarpur.
2. Meenu Chaudhary Wife of Mukesh Kumar Chaudhary Resident of Vill- Sundarbag, Road No. 1, Imlichowk, P.S.- Bela, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sunil Kumar Pandey, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-12-2024 Heard Ld. counsel for the Petitioners and Ld. APP
for the State.

2. The Petitioners seek anticipatory bail, apprehending their arrest, in connection with Saraiya P.S. Case No. 120 of 2021, dated 12.02.2021 registered for the offences punishable under Sections 406, 420/34 of the Indian Penal Code and Section 3 of Bihar Protection of Investors of Depositors Act, 2002.

3. As per the allegation, all the accused persons are officers of Swarna India Multi State Credit Co-operative Society and on the representation of the Society, the informant being agent of the Society, represented general public to deposit money to get their money back with interest after maturity but after maturity they could not get their money as per the scheme



which was stated by the Society.

4. However, Ld. counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the Society is a Co-operative Society registered under the Registration Act and none of the petitioners herein, are office bearers of the Society. He has also filed one document showing that it is Anil Kumar who is the Chairman of the Society whereas, Mr. Satish Kumar and Mr. Rajesh Kumar Suman are directors of the Society, but none of the petitioners herein are any office holders of the Society. Hence, they have nothing to do with the alleged offence and both the lady Petitioners are only mother and wife of the younger brother of the chairman of the Society and only on the basis of their relationship, they have been implicated in this case.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the Petitioners have no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.



8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-IV (West), Muzaffarpur, in connection with Saraiya P.S. Case No. 120 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the Petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the Petitioners after hearing them and getting satisfied that the Petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the Petitioners.

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(Jitendra Kumar, J.)

