

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79477 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- SHRIKRISHNAPURI District- Patna

1. Surabhi Jaya Wife Of Mr. Mohnish Kumar R/O Mohalla- Madarsa Sulemania Lane, Nawab Bahadur Road, P.S.- Khajekala, District- Patna
2. Shyam Nandan Lall Son Of Late Udho Nandan Lall R/O Mohalla- Madarsa Sulemania Lane, Nawab Bahadur Road, P.S.- Khajekala, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Roy Son Of Devendra Prasad Roy R/O Village- Mirjapur, P.O.- Bharpura, P.S.- Sonpur, District- Saran At Chapra

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 84126 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- SHRIKRISHNAPURI District- Patna

Mohnish Kumar Son Of Shyam Nandan Lall R/O Mohalla- Madarsa Sulemania Lane, Nawab Bahadur Road, P.S.- Khajekala, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar PATNA
2. Sanjay Kumar Roy Son Of Devendra Prasad Roy R/O Village- Mirjapur, P.O.- Bharpura, P.S.- Sonpur, Dist.- Saran At Chapra

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 79477 of 2023)
For the Petitioner/s : Mr.Rishi Raj Raman
For the State : Mr.Rajendra Nath Jha
For the Informant : Murari Shankar, Adv
(In CRIMINAL MISCELLANEOUS No. 84126 of 2023)
For the Petitioner/s : Mr.Rishi Raj Raman
For the State : Mr.Pramod Kumar Pandey
For the Informant : Mr. Murari Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 02-08-2024 As both these bail applications have cropped up from

the same police station case number, hence, with consent of



parties, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that the petitioners along with other co-accused persons have fraudulently taken money from the informant in the name of investment.

5. Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners 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 petitioners along with other co-accused have received Rs.2,04,40,850/- from different investors and have already returned Rs.1,92,47,199/- to the investors. He further submits that the petitioners have already returned Rs.8,44,431/- to the informant. One of the co-accused, have been enlarged on bail by this court vide order dated 12.09.2023 passed in Cr. Misc. No. 52753 of 2023. Petitioners



of Cr. Misc. No. 79477 of 2023 have three criminal antecedent and petitioner of Cr. Misc. No. 84126 of 2023 has five criminal antecedents as mentioned in para-3 of this application.

6. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the petitioners along with other co-accused persons have fraudulently taken money from the various investors and they have not returned the same.

7. Having regard to the facts and circumstances of the case, argument of the parties and the fact that it is civil/money 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 Srikrishnapuri P.S. Case No.161 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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