

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2801 of 2024

Arising Out of PS. Case No.-725 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Suraj Kumar Ram @ Suraj Ram @ Lalu Kumar Ram @ Lalu Son of Raj Kumar Ram @ Bhola @ Bhola Ram R/o vill - Haripur, Maltaola, P.S. - Kaluahi, Distt. - Madhubani
 2. Raj Kumar Ram @ Bhola @ Bhola Ram Son of Mantu Ram R/o vill - Haripur, Maltaola, P.S. - Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Thakur Son of Harilal Thakur R/o vill - Haripur, Maltaola, P.S. - Kaluahi, Distt. - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ravi Prakash, Advocate
For the Opposite Party/s : Mr Abhay Kumar, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

6 08-05-2024 Heard learned counsel for the petitioners, learned counsel for the complainant and learned Additional Public Prosecutor for the State.

2 The petitioners apprehend arrest in connection with Complaint Case No 725 of 2022 dated 05.08.2022 instituted under Sections 323, 341, 420, 406, 467, 468, 471, 504/34 of the Indian Penal Code but cognizance has been taken in this case under Sections 420, 504, 506 of the IPC.

3 The allegation against the petitioners is of cheating the complainant.



4 The learned counsel for the petitioners submits that the petitioner has been falsely implicated in this case. It is submitted that the anticipatory bail application has been rejected by the Court below only on the ground that as the summon has been issued, the anticipatory bail application is not maintainable in view of the order passed by this Court in Cr Misc No 51075 of 2014 dated 14.05.2015. It is submitted that on wrong interpretation of order dated 14.05.2015 passed by this Court in Cr Misc No 51075 of 2014, the anticipatory bail application has been rejected. It is further submitted that there is no proof of any payment made by the complainant to substantiate the allegation against the petitioners. It is also submitted that the petitioners have no criminal antecedent.

5 Learned APP for the State and the learned counsel for the complainant have vehemently opposed the prayer for anticipatory bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate, 01st Class,
Madhubani in Complaint Case No 725 of 2022 dated
05.08.2022 subject to the conditions as laid down in Section 438
(2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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