

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19223 of 2015

Arising Out of PS.Case No. -182 Year- 2014 Thana -SIKANDARA District- JAMUI

1. Sanjeev Kumar @ Vijay Kumar Son of Banke Chourasiya resident of village - Sikandra, P.S. Sikandra, District - Jamui
2. Manoj Mishra Son of Gajadhar Mishra resident of village - Goura, P.S. Halsi, District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.23116 of 2015

Arising Out of PS.Case No. -182 Year- 2014 Thana -SIKANDARA District- JAMUI

1. Md. Balaluddin S/o Late Moin Mian Resident of Village Mubarkpur, Police Station Sikandra, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.19223 of 2015)

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. M.K. Nirala (App)

(In Cr.Misc. No.23116 of 2015)

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-09-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner Sanjeev Kumar and Manoj Mishra in Cr. Misc. No. 19223 of 2015 and Md. Balaluddin in Cr. Misc. No. 23116 of 2015 apprehend their arrest in connection with a case registered for the offences punishable under Sections 420/120B/34

of the Indian Penal Code.

Case diary has been called for in these cases which have since been received.

The allegation against these petitioners is that these petitioners are head agents of Wave Infra-project Limited induced the depositors to deposit their money in the said Company on the assurance that on maturity, the said amount would be doubled. The said money, however, could not be matured as the Company became defunct and closed its office leading to loss to the depositors.

Learned counsel for the petitioners submits that the petitioners have not committed any offence rather they merely worked as Agents of the said Company and if at all, there was any grievance, it is the depositors who ought to have filed a case and not a sub-agent as has been done in this case. He further submits that no case is made out against him as the informant and the petitioners are similarly situated and had together collected the money from the depositors.

Learned counsel for the State after referring to various paragraphs of the case diary submits that there is enough cogent materials so as to implicate these petitioners as they have defrauded innocent depositors to deposit their money and after the

same has been done, the petitioners have changed the name of the Company and no one knows about the whereabouts of the Company as the Company is not in existence anymore.

Considering the aforementioned facts that there are cogent materials against these petitioners, I am not inclined to extend the privilege of anticipatory bail to these petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected in connection with Sikandra P.S. Case No. 182 of 2014.

(Anjana Mishra, J)

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