

Arising Out of

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1. Ram

2. Kris

Both

Biscuits

Arising Out of PS.Case No. -14167 Year- 2014 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. H.A.Khan(App)

02/ 04-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 406, 323 and 504/34 of the Indian Penal Code.



The prosecution case is that the accused persons came to the house of the complainant being the agent of Central Bank Employees Savings and Credit Self Supported Society, Bakhri Branch, Supaul and suggested for investment to get the interest @ 6.25 per cent. The complainant handed over Rs.1,42,287/- to the petitioner Ram Chandra Singh in presence of the other accused persons when he was assured that after 39 months the Bank will return Rs.1,74,060/-. The complainant and his wife on maturation of period of investment went to the house of petitioner Ram Chandra Singh, then only Rs.50,000/- was given, but on repeated demand the rest maturity amount was not given.

It is submitted by learned counsel for the petitioners that admittedly as per the accusation the petitioner Ram Chandra Singh was a collecting agent but the money was deposited Central Bank Employees Savings and Credit Self Supported Society. It is further submitted that one Bhikhari Thakur filed C.W.J.C. No. 3179 of 2008 before this Court for a direction to the Registrar Co-operative, Patna to conduct special audit and enquire into the affairs of the Central Bank Employees Savings and Credit Self Supported Society, Supaul. The said writ application was disposed of on 03.02.2012 with a direction



that if the petitioners file an application before the Collector, with a copy of the order, the same would be disposed of preferably within a period of four months. In pursuance to the order of this Court dated 03.02.2012 passed in C.W.J.C. No. 3179 of 2008 the above said Cooperative was dissolved and one Laxmi Prasad Chauhan, District Officer, Supaul was appointed, Receiver. The District Magistrate, Supaul issued a letter dated 18.10.2013 addressed to the District & Sessions Judge to transfer all the complaints of such investors to him for taking necessary action for payment to the investors.

Considering nature of accusation, the fact that the money was not given to petitioner no. 1 Ram Chandra Singh, further deposit of Rs.50,000/- by petitioner no. 1 before the learned court below which will be invested in some fixed deposit scheme in connection with the present case which will be subject to the result of the case and there is no specific accusation against petitioner no. 2, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial

Magistrate, Begusarai in connection with Complaint Case No. 14167C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of petitioner no. 1 shall be accepted by the learned court below on deposit of Rs.50,000/-.

(Dinesh Kumar Singh, J)

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