

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12867 of 2015

Arising Out of PS.Case No. -938 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Ajay Kumar Jaiswal Son of Sri Gauri Bhagat, resident of village-
Mohanpur, P.S.- Ekchari (Pirpanti), District- Bhagalpur, Presently residing
at Mohalla- Ganga Bihar Colony, P.S. Zeromile, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 26-06-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Kotwali (Tilkamanjhi) P.S. Case No. 938 of 2014 registered for

the offences punishable under Sections 420, 406 of the Indian

Penal Code.

It is alleged that petitioner being Manager of Chit

Fund company defalcated huge amount of investors.

The contention on behalf of the petitioner is that

petitioner was not manager of the aforesaid company rather he

was himself an investor and he has also given legal notice to the

Director of the concerned company. It is also pointed out by him

that a cheque of Rs. 4,90,000/- had been issued by the Director of concerned company in the name of petitioner but the aforesaid cheque got bounced.

It would appear from perusal of the first information report itself that petitioner was not Director of the aforesaid company rather he was working in the said company as Manager. Furthermore, Annexure-2 series as well as Annexure-3 to this petition support the above stated contention of learned counsel for the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Tilkamanjhi) P.S. Case No. 938 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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