IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21993 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -KANTI District- MUZAFFARPUR

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Rajesh Khanna S/o Mahendra Prasad R/o Village Damodarpur, P.S. Kanti, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-10-2015 Heard both sides.

The petitioner apprehends his arrest in Kanti P.S. Case No. 46/2015, registered for the offences punishable under Section 406, 420 of the Indian Penal Code.

The informant alleged that the petitioner claims himself to be agent of Sahara India and took from him Rs. 1,00,000/- for Fixed Deposit and also took Rs. 18,000/- for depositing in the company. After maturation of the aforesaid amount the informant asked the petitioner to refund the money, but she came to know that the company itself was closed.

It is submitted that the petitioner is an agent of Green Ray International Ltd. The petitioner gave all the receipts of deposit of money to the informant. The petitioner also came to know that the aforesaid company was fake and the same was closed. One Neelam Devi and others filed a case. Md. Shamsher Ali filed complaint case no. 3415/2014, against Md. Shamsher and others who were office bearers of the Green Ray International Company Ltd.

Petitioner is one of the witnesses in the aforesaid case. The petitioner filed petition before the SSP, Muzaffarpur that Ayush Saha, one of the officer of the company was apprehended and he was one of the member of the company who fled away after taking money of the depositors.

Learned counsel for the informant opposed the prayer for anticipatory bail and submitted that of course, the petitioner is an agent, but it was he who collected money from the informant and deposited in the company.

Considering the facts that petitioner after depositing money in the company handed over receipts to the informant, but the company itself was closed and fled away with the money of many depositors, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, (West) Muzaffarpur in connection with Kanti P.S. Case No. 46/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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