

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33200 of 2015

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

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1. Manoj Singh @ Manoj Kumar Singh S/o Kamal Singh
2. Ashok Kumar Singh S/o Ramakant Singh
Both are Resident of village - Bakhri Bazar, Ward No. 02, P.S. Bakhri,
District - Begusarai

..... Petitioner/s

Versus

1. The State of Bihar
2. Laxmi Sah S/o Late Ram Prasad Sah Resident of village - Parihara, P.S.
Bakhri (Parihara), Distt. - Begusarai

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-08-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 406, 323, 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 Limited, Bakhri Branch, Supaul and suggested for investment of money at the interest of 6.25.



The informant handed over Rs. 1,42,287/- to the co-accused Ram Chandra Sah in presence of the petitioners 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 co-accused Ram Chandra Sah, then only Rs. 50,000/- was given, but on repeated demand the rest maturity amount was not given.

It is submitted by the learned counsel for the petitioners that admittedly as per the accusation the money was given to co-accused Ram Chandra Sah, it was not given to the petitioners and investment was made in favour of the complainant and his wife. It is further submitted that 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 Limited, 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 off 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 petitioner also brought on record a letter dated 18.10.2013 of the District Magistrate, Supaul addressed to the District and Sessions Judge to transfer all the complaints of such investors to him for taking necessary action for payment to the investors.

Considering the fact that the money was not handed over to the petitioners and the fact that the action has been taken for return of the amount with respect to the investors in general, let the above named petitioners be released on 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 Chief Judicial Magistrate, Begusrai in connection with Complaint Case No. 14167 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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