

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26491 of 2015

Arising out of PS.Case No. -365 Year- 2011 Thana -AURANGABAD TOWN District-  
AURANGABAD

Haribansh Singh, S/o Sri Tribhuan Singh, R/o Dakhsinayan Housing  
Complex, B/A Tegharia Near Loknath Temple, P.S.- Golabari, Kestopur,  
Kolkata.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party : Mr. S.N.Shukla (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

2 28-07-2015 The petitioner is languishing in custody since  
29.01.2015 in connection with Aurangabad Town P.S. Case No.  
365 of 2011 for the offences instituted under Sections 406, 420,  
467, 468 and 120(B) of the IPC.

Heard learned counsel for the petitioner and learned  
counsel for the State.

The prosecution story, in brief, is that the informant was  
an agent of PCPL Company. At the instance of accused persons,  
the informant deposited Rs. 5,77,000/- on behalf of several policy  
holders. The policy holders deposited first premium and got  
receipts thereof but they were not supplied bond papers and  
original receipts. It was said that original receipt and bond paper

could be sent in 15 days and 45 days but the same would be sent to them. The bond could not be dispatched even by 2011. In the meantime, a meeting was convened at Aurangabad. The informant put his problem there but he was driven out without his grievance being redressed. Petitioner alongwith other with conspiracy to each other misappropriated Rs. 5,77,000/- by way of cheating.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2015. It has further been submitted that the petitioner has not made any wrongful gain, it is the finance company which has taken money and has fled away. It is further submitted that the petitioner is ready to deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case. Further it has been submitted that other co-accused have also been granted bail vide Cr. Misc. No. 27395 of 2012.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released 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 C.J.M., Aurangabad, in connection with Aurangabad Town P.S. Case No. 365 of 2011, arising out of Complaint Case No. 778 of 2011.

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**(Sudhir Singh, J)**