

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15757 of 2015

Arising Out of PS.Case No. -494 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Anup Kumar Son of Nagina Prasad Kushwaha
 2. Sheela Devi wife of Nagina Prasad Kushwaha Residents of Barwat Sena, P.S. Bettiah, Muffasil, District - West Champaran.
 3. Dilip Kumar Son of Nathu Bhagat resident of Village - Bhangaha, P.S. - Chanpatiya, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Binod Kumar 3 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 323, 341, 342,504, 506, 420, 406, 465, 467, 486, 34 of the Indian Penal Code.

The prosecution story, in brief, is that Branch office of Raimal India Infotech Pvt. Ltd., a non-banking company was running in the house of the petitioners and on inducement of the petitioners the informant started to work as Agent in the said Company. Co accused Nagina Prasad Kushwaha executed an agreement that in case of non payment by the Company in time then he will pay the deposit amount with interest to the accounts



holder. The informant got opened accounts of 74 persons in the said Company and deposited Rs. 4,82,100/- and the receipt thereof was also given by the employee of the said company. Later on the said company was closed and informant and other agents put pressure upon co accused Nagina Prasad Kushwaha for return of the money of accounts holder then he filed two complaint case only with a view to grab the money of accounts holder and create havoc among the agents. It is also alleged that co accused Nagina Prasad Kushwaha and others have grabbed Rs. 3 crores of the public and when the informant put pressure for return of the amount and when the informant put pressure for return of the amount of accounts holder deposited by them then all the petitioners under a planned conspiracy assaulted the informant and threatened him for dire consequences.

It has been submitted on behalf of the petitioners that the petitioners have been made accused in the present case due to mistake of fact. It is also submitted that the petitioners have no concern with the company nor they have made any wrongful gained out of deposits made by the villagers. It is further submitted that each petitioner is ready to deposit an amount of Rs. 20,000/- in the court below, which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the facts aforesaid, each petitioner is directed deposit a sum of Rs. 20,000/ in the court below, which shall be subject to final disposal of the case and on doing so, the above named petitioners, in the event of their arrest or surrender in the court below within a period of ten weeks, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case no.494 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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