

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37521 of 2015**

Arising Out of PS.Case No. -16 Year- 2015 Thana -SHIWAPATHI District- MUZAFFARPUR

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1. Ramesh Kumar @ Ramesh Sah Son of Jeetan Sah Resident of Village -  
Ram Nagar, P.S. - Siwaipatti, District - Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Dilip Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
ORAL ORDER

2      17-09-2015                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner is apprehending arrest in a case  
registered for the offences punishable under Sections  
406,409,417 and 420 of the Indian Penal Code.

The prosecution case is that the petitioner being  
co-villager of the informant, persuaded the informant to  
invest money in a non-banking financial company namely  
Ramel Industries Ltd. to get interest at the rate of ten percent  
per annum. The informant invested twenty one thousand six  
hundred by depositing forty rupees per day but the pass-book  
only reflects the deposit of rupees fourteen thousand four  
hundred rupees in place of rupees twenty one thousand six

hundred. Subsequently, the said non banking financial company was found to have been closed.

It is submitted by the learned counsel for the petitioner that the petitioner being co-villager of the informant was only collecting agent of the said company and the investment was actually made in the company. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and the quantum of amount involved, on deposit of rupees twenty five thousand before the learned court below, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Muzaffarpur in connection with Siwaipatti P.S. Case No.16 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid amount of Rs.25000/- deposited by the petitioner will be released in favour of the informant in case he files an application for withdrawing/compromise of the case, otherwise the aforesaid amount will be invested

by the learned court below in some fixed deposit scheme in connection with the present case which will be subject to the result of the case.

**(Dinesh Kumar Singh, J)**

Anil/-

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