

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37991 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -KHAZANIHAT District- PURNIA

- =====
1. OBONI RAVIDAS @ OBONI CHANDRA RABI DAS S/O LATE NARESH CHANDRA RABI DAS.
RESIDENT OF VILLAGE- DARGAH TOLA, CHIMNI BAZAR, P.S.- SADAR, DISTRICT- PURNEA (BIHAR).
 2. HABIB ALAM S/O SK. ALAUDDIN @ ALLAUDDIN SHEIKH.
 3. MD. SHAMIM @ SHAMIM AKHTAR S/O SK. ALAUDDIN @ ALLAUDDIN SHEIKH.
 4. SK. ALAUDDIN @ ALLAUDDIN SHEIK S/O LATE KALIMUDDIN SL.NO.2 TO 4 ARE RESIDENT OF VILLAGE- JOKA JALMARAI, P.S.- SADAR, DISTRICT- PURNEA (BIHAR).

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 31-03-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

Now a days, unscrupulous persons keep upon wager to collect easy money by dishonest intention whereunder, they are bent upon to deceive innocent persons on false pretext of alluring promising to give undue benefit by opening chit company, and then thereafter misappropriate the same by closing the door. That happens to be allegation put forward by the informant against petitioners and others.

It has been submitted on behalf of petitioners that they neither are Board of Directors nor happen to be associated with function of the chit company rather they happens to be an agent like informant who only to save his skin got this case

filed. Also submitted that petitioner nos. 2 and 3 are brothers while petitioner no.4 is father, having no concern with the affair.

At the other end learned Additional Public Prosecutor opposed the prayer.

Taking into account the nature of activity and further perceiving the conduct of the agent whereunder he is responsible for collection as well as he happens to be the person who allure the customer directly to deposit the amount, I do not see it a fit case for grant of an anticipatory bail, accordingly prayer for anticipatory bail is rejected.

I have gone through the case diary and the manner, whereunder investigation is being conducted is found distressing. Furthermore, it is also apparent therefrom that up till now the Superintendent of Police, Purnea has not awakened even having misappropriation of such huge amount by adopting such dubious activities beneath his nose. Therefore, Superintendent of Police, Purnea is directed to have further investigation of the case under his direct supervision to have the real culprit properly traced. Office to communicate personally.

(Aditya Kumar Trivedi, J.)

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