

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51998 of 2015

Arising Out of PS.Case No. -368 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Ravi Kumar s/o Pramod Kumar Keshri
2. Pramod Kumar Keshri, S/o Sheo Nath Keshri, both are resident of
Banarak Bank Chowk, Near Fire Station, Muzaffarpur, P.S.- Town
Muzaffarpur, District- Muzaffarpur

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Narayan
For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-12-2015 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

The petitioners apprehend their arrest in connection with
Muzaffarpur Town P.S.Case No. 368 of 2015, arising out of
Complaint Case No. 855 of 2015 for the offences alleged under
Sections 406, 471 and 120-B of the Indian Penal Code.

Prosecution case as lodged by the complainant, namely,
Ranjeet Kumar Sharma is that, he being an educated unemployed
person met with the petitioner no. 1 and other co-accused and was
induced to deposit in a non-banking financial company, namely,
Falcon Industries India Ltd and the petitioner was a collecting
agent of the said company. The complainant further stated that the

petitioners along with other co accused persons swindled and defalcated the huge amount of Rs. 22,25,318/- of investors, whose names were annexed in the complaint petition.

It has been submitted by the learned Counsel for the petitioners that they are innocent and in fact the complainant himself being the manager of a non-banking financial company, namely, NVD Solar Sanchay Pvt. Ltd., has defalcated a huge sum of money of many investors. He further submits that one of the investors, namely, Alam Ara had lodged Muzaffarpur Town P.S. Case No. 757 of 2014, against the complainant Ranjeet Kumar Sharma. Ranjeet Kumar Sharma was granted the privilege of bail on depositing an amount of Rs. 3,60,000/- in the Court within ninety days as is evident from the order passed by a Coordinate Bench of this Court in Cr. Misc. No. 46414 of 2014 dated 03.03.2015. It has further been submitted that the petitioner no. 1 being the collecting agent, has also been granted the privilege of anticipatory bail in Cr. Misc. No. 46311 of 2014 vide order dated 20.04.2015 in the same Muzaffarpur Town P.S. Case No. 757 of 2014 lodged by the same investor Alam Ara on the observation that in the earlier Criminal Miscellaneous application filed on behalf of Ranjeet Kumar Sharma, who was the manager of the said alleged financial company, bail had been granted.

From perusal of the present F.I.R. and earlier Muzaffarpur Town P.S. Case No. 757 of 2014 filed by one of the investors, it appears that both the complainant and the petitioners were manager and collecting agent of non-banking financial company, namely, NVD Solar Sanchay Pvt. Ltd and both were hand in gloves with each other, resulting in defalcation of huge amount of money of the investors.

In such a situation, I am not inclined to grant the privilege of anticipatory bail to the above named, petitioners.

(Nilu Agrawal, J)

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