

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8907 of 2016**

Arising Out of PS.Case No. -519 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Balram Bharti, S/o Awadh Lal Das, resident of B.R. Market, 3rd Floor,  
Kachahari Road, Begusarai, P.S. Town P.S. Begusarai, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

7 16-09-2016

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

The petitioner is apprehending his arrest in  
connection with Begusarai Town P.S. Case No. 519 of 2015, G.R.  
No. 4000 of 2015 registered for the offences punishable under  
Sections 406, 420, 467, 468 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
present petitioner Balram Bharti is one of the Chartered  
Accountant of the Company known as Dream Vatika Buildcon  
Private Limited Company. It is submitted on behalf of the  
petitioner, that, he being a Chartered Accountant and appointed as  
statutory Auditor has a limited role to play. He has nothing to do  
with creation of any forged document or resignation letter as has

been alleged in the present First Information Report and thus the petitioner's prosecution in connection with the present case is only uncalled for and misconceived.

Counsel appearing on behalf of the Opposite Party No. 2 submits that the petitioner was part of the nexus and thus, his role cannot be undermined.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that at Para 30 and 31 of the case diary, which has come on record that the petitioner was only the Chartered Accountant and was responsible for maintaining the balance sheet and books of accounts of the Company and the said capital of the Company as invested by the informant which is to the tune of 20 per cent is still intact with the Company and has not been misappropriated. Thus, the petitioner has been wrongly roped in the present case.

After hearing learned counsel for the petitioner and the parties, it appears that the petitioner has limited role to play.

Considering the nature of allegations made and that the petitioner also has no criminal antecedent, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 519 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Anjana Mishra, J)**

Vats/-

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