

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4031 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

1. Raj Gopal Pandey @ Ram Gopal Pandey son of Shri Gupteshwar Pandey
resident of Village- Gulabbag, Ziromile, Police Station- Purnia District-
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

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

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 10-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 420/
406/467/471 of the Indian Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that the petitioner
was appointed vide Letter of Appointment dated 01.11.2011
(Annexure-2, to this application) as Officer In-charge; Project, in
Sunshine Global Agro Limited at Araria and was subsequently
promoted as Branch Manager and posted at Head Office, Purnea.



The informants of the present case are the agents of the Company at Bhagalpur who had collected money for being deposited in the Company, namely, Sunshine Global Agro Limited. The allegation as contained in the First Information Report, is that the Company Manager Parvesh and Sanjeev at the time of payment of maturity amount, started to make pretext of one nature or the other, therefore, they were advised to contact Head Office at Purnea for return of their respective maturity amounts. However, when the petitioners went to take their maturity amount from the Company at Purnea, the officers, named in the First Information Report, which also includes the petitioner, started creating unwanted hindrance and also became belligerent and indulged in *Marpit*. Thus, the present case came to be lodged against the petitioner.

It is further submitted, that actually the petitioner has worked in the aforementioned Company only between the period 01.11.2011 and had already resigned from the Company on 10.12.2014 which was accepted vide Annexure-4. Thus, at the time of occurrence, the petitioner had no role to play in either the return of the maturity amount or in any incident of assault as has been alleged.

Learend counsel appearing on behalf of the State after perusal of the case diary submits that the present case has been

lodged by the agents of the Company and not the investors. Moreover, there is no material in the case diary as against the present petitioner.

Considering the aforementioned facts and circumstances and also the fact that the petitioner is having no criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Adampur) P.S. Case No. 45/15, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

Saif/-

U		T	
---	--	---	--