

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12807 of 2016

Arising Out of PS.Case No. -49 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Md. Jahagir son of Late Md. Salim, R/o Village Pethahi, P.S. Madhepura,
District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2016 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 467/
468/471/406/420/120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner
was merely an Agent working on contractual basis in the
Company known as 'Starmaker Educational and Development
Trust (*Rashtriya Swarnim Rozgar Mission*). He submits that vide
Annexure-3 to the supplementary affidavit, the petitioner was
appointed on 16.07.2010 on a monthly honorarium of rupees four
thousand only to conduct the business of the aforementioned
Company. In pursuance thereof, the petitioner performed his
duties as assigned to him and several persons made investments in



the aforementioned company. The agreement was entered into between the petitioner and the said Branch Manager, namely, Tuntun Kumar. It is further submitted that when the petitioner noticed that there was certain irregularities being committed in the Company and several investors who were also his relatives were likely to face serious loss, he started making queries regarding the bonafides of the Company. It was only thereafter, the petitioner was made an accused and the present First Information Report has been lodged roping him into the alleged malpractices and the defalcations made by the Company.

Having perused the materials available before this Court including several affidavits sworn by the informant who has admitted to be the Branch Manager and has issued certificates in favour of the investors and had accepted liability for the same and that the petitioner was merely working on contractual basis in the Company, 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, Begusarai in connection with Ballia P.S. Case No. 49 of 2014, subject to the conditions as laid down under Section

438(2) of the Cr. P.C.

It is made clear that the petitioner shall make himself available as and when required by the Investigating Agency and on submission of charge-sheet shall appear in the Court below so that the trial of the case is not prejudiced in any manner.

(Anjana Mishra, J)

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