

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48872 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -BUXAR District- BUXAR

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Pushpa Devi, Wife of Pramod Kumar Bhatt, Resident of Mohalla - Chinni Mill, Buxar, Police Station - Buxar (Town), District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Suresh Dubey, son of Late Deodutta Dubey, Resident of Village Kudariyana, P.O.- Nenua, P.S.- Dumraon, Distt.-Buxar at present address: Chini Mill, Ward No.34, P.O. Gajadharganj, P.S. Town (Buxar), Dist.-Buxar.
3. The Managing Director, Basil International Limited, 79 P.C. Sarkar Sarani, Ballyganj, Garriyaghat, West Bengal, Kolkatta-700019.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Nil Kamal, Advocate
For the S t a t e : Mr. M.Dayal(APP)
For O.P. No.2 : Mr. Kritya Nand Jha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 04-05-2016 Heard learned counsel for the petitioner and the learned counsel for O.P. No.2 as well as the learned counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in connection with Buxar (T) P.S. Case No.122 of 2015 for allegedly having committed the offence under Sections 406, 420, 467, 468, 471, 504, 506 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that though, admittedly, certain money was received by the petitioner on behalf of Basil International Limited Company,



the Company was subsequently closed down, resulting in the field workers being prosecuted by the depositors. It is submitted on behalf of the petitioner that now the matter regarding repayment of money to the investors is being looked into by the SEBI, which has appointed three persons to consider the claim of the depositors of Basil International Limited Company. Referring to Annexure 3, learned counsel for the petitioner submits that the depositors have been asked to approach the persons, so appointed, so that the money can be recovered and returned to the depositors.

Learned counsel appearing on behalf of O.P. No.2 submits that apart from the money which the petitioner has received, certain other amounts have also been accepted by the petitioner, for which there is no receipt nor is the petitioner willing to return the money to be given to him in view of the changed circumstances.

Considering all the facts and circumstances and particularly because the SEBI is now looking into the matter and the informant is required to approach the persons appointed by the SEBI for refund of his deposits and also because the other amount referred to by the petitioner is only ₹30,000/-, let the petitioner, above named, in the event of her 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 ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, District-Buxar, in connection with Buxar (T) P.S. Case No.122 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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