

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41959 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -MEDANICHOWK District- LAKHISARAI

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Bikash Kumar, son of Bahadur Singh, Resident of Village- Banshipur Chai Tola, P.S. Medni Chowki, District- Lakhisarai, the then Branch Manager, E.K.L. Company Dhanbad, Kajra Branch, District- Lakhisarai.

.... Petitioner

Versus

1. The State of Bihar.
2. Gita Devi, W/O Jitendra Kumar, R/V-Paharpur, P.S. Mednichauki, District-Lakhisarai.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate.
For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.
For the Informant : M/S. Raj Kumar and Vijay Kumar,
Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 13-12-2016 Heard learned counsels for the petitioner, informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Medni Chowki P.S. Case No. 86 of 2015 for the offences instituted under Sections 420, 506 and 504 of the IPC.

The prosecution story, in brief, is that on the inducement of the accused persons, huge amount of the people of the locality was deposited in the Company on the pretext of handsome return, but the Company has misappropriated the said amount and has not fulfilled its commitment.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. There is no substantive evidence to suggest his implication in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. On the assurance given by the petitioner and other accused, the informant had deposited Rs. 1,00,000/- with the Company and ultimately the said Branch of the Company was close down and the informant has suffered loss of Rs. 1,00,000/- due to inducement on the part of the accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Medni Chowki P.S. Case No. 86/2015, pending in the court of learned A.C.J.M.-II, Lakhisarai. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced the order of this Court.

U.K./-

(Sudhir Singh, J)

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