

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42915 of 2015

Arising Out of PS.Case No. -1707 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Insan Ali Son of Md. Nawab Ali, Resident of Village - Singalpur, P.O. -
Sonali, Police Station - Kadwa, District -Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anuj Kumar Mandal, Son of Late Ganesh Chandra Mandal, Resident of
Village - Mandansahi, P.O. - Maina Nagar, Police Station - Pranpur, District
- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan
For the Complainant : Mr. Makardhwaj Upadhyay
For the Opposite Party/s : Mr. Kumar Virendra Narayan(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 02-05-2016 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 406/420
of the Indian Penal Code and Section 138 of the N.I. Act.

The allegation against the petitioner is that he had collected
money from the depositors in the name of Kisan Pariwar Agro
Farming Limited.

Learned counsel for the petitioner submits that the petitioner
had no role to play as all the amounts were deposited with the
Company which was owned and registered in the name of Kumar

Vijay Srivastava. He submits that actually the present depositors had filed a case against the complainant in which he had been taken into custody. He further submits that the petitioner is merely an employee, neither a Director of the Company nor a share-holder.

Counsel appearing on behalf of the complainant however, submits that a cheque was issued by the petitioner for re-payment of the money of the depositors but the same could not be done as the aforementioned cheque was returned for want of funds.

Be that as it may, all such issues are questions which can alone be determined by the trial. So far as the Annexure-'B' of the counter affidavit filed by the complainant is concerned, the said is indistinct and no particular inference can be drawn from the same.

Considering the entire facts and circumstances of the case and the vague nature of allegations and there being no specific material in the case diary, 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 Judicial Magistrate, 1st Class, Katihar in connection with C.A. No.

1707/2014, subject to the conditions as laid down under Section
438(2) of the Cr. P.C.

(Anjana Mishra, J)

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