

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35798 of 2016

Arising Out of PS.Case No. -298 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Ramnath Gupta Son of Late Bishwanath Gupta, Resident of Village-
Brahmpur Sakari, P.S- Manigachhi, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 05-09-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
341, 323, 406, 420, 504, 506 of the Indian Penal Code.

The prosecution case is that informant Babita
Devi was persuaded to make investment by depositing
amount in Agro India Limited, a non-banking financial
company. The complainant along with 45 other persons
opened their account in the said company and deposited
Rs. 300/- to 600/- per month on assurance of return the
deposited amount with interest @ 16%. The accused
persons collected Rs. 2,91,300/- from each account
holder, but after maturity he refused to return the amount



with interest. On enquiry, it was found that company changed his name as Ratandeep Games Jewellery India Private Limited. Subsequently, the informant was informed that in lieu of cash now jewellery will be returned. On further request for giving jewellery in lieu of cash, the husband and son of the complainant were assaulted by the petitioner. Petitioner was one of the Agent-cum-Area Manager of the said Financial Company.

It is submitted by the learned counsel for the petitioner that petitioner filed a written report before the Officer-in-charge of Madhubani P.S. on 31.10.2014 raising apprehension of being kidnapped by the son of the present informant. The petitioner also filed Town P.S. Case No. 92 of 2015 with accusation under Sections 341, 323, 504/34 of the Indian Penal Code against the husband of the informant for the occurrence dated 27.10.2014, whereas the informant filed Complaint Case No. 167 of 2014 on 29.11.2014 which came to be registered as Police Case on 10.7.2015 on complaint being transferred to Police Station under Section 156 (3) Cr.P.C. It is further submitted that petitioner was himself an employee of the said company and there is nothing on record to suggest that any payment was made to the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the thrust of accusation against the alleged financial company and the case lodged by the petitioner's side at earlier point of time, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 298 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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