

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17678 of 2016

Arising Out of PS.Case No. -311 Year- 2012 Thana -AURANGABAD TOWN District-
AURANGABAD

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Navin Kumar @ Navin Kumar Prasad S/o Yadunandan Prasad Verma
resident of Ahri, in front of D.E.O. office, P.S. Aurangabad (T), District -
Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with

Aurangabad (Town) P.S. Case No. 311 of 2012 registered for

offences punishable under Sections 420, 467 and 468 of the Indian

Penal Code.

The prosecution case, as lodged by the informant, is

that he had deposited certain amount in a company, namely,

OCPL Company Pvt. Ltd. as insurance and fixed deposit, which

was to be returned after ten years. Petitioner and other co-accused

being employees and officials of OCPL Company Pvt. Ltd.

cheated large number of persons, as the bond papers and original

receipts, as promised, was not furnished to the informant and other insurance applicants. Informant stated that total sum of Rs. 80,000/- has been defalcated by the employees and officials of the OCPL Company Pvt. Ltd. and petitioner is one of them.

It has been submitted by the learned counsel for the petitioner that petitioner is innocent and has committed no offence, as he was one of the employees of the said company and had nothing to do with the alleged defalcation of the said amount as he was also pursuing his bachelor's degree at BHU, Banaras and after completing his studies, he went to Pune and got employment in Lottle India Corporation Ltd. at Pune. He submits that petitioner is not even aware about the present case and the other accused persons, who were officials and the employees of OCPL Company Pvt. Ltd., have already been granted the privilege of anticipatory bail in Cr. Misc. Nos. 11783 of 2013 and 14242 of 2013 on 23.07.2013 by a Coordinate Bench of this Court.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report along with other officials of the said company, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case as also the fact that petitioner was only an employee of OCPL

Company Pvt. Ltd. and later had got employment in Lottle India Corporation at Pune and considering his status, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 311 of 2012, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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