

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28230 of 2016**

Arising Out of PS.Case No. -650 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-  
SASARAM (ROHTAS)

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1. Ramjee Pandey Son of Shri Sachidanand Pandey resident of Village -  
Gharwasdih, P.S. - Kachhawan, District - Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Dhamsheela Devi Wife of Dinanath Tiwary resident of Village -  
Gunsej, P.S. - Dinara, District - Rohtas.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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

2 14-07-2016

Petitioner is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 406 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The prosecution case is that the petitioner being Manager of a non-banking financial company namely Shivpra Financial Solution Pvt. Ltd and co-accused Ujjawal Kumar being Director of the said company persuaded the complainant to invest in the scheme of the company when the complainant invested Rs. 1,50,000/- in the fixed term deposit scheme of the said non-banking financial company for 18 months on assurance that she would get Rs. 2, 58,000/- on the date of maturity. On the date of maturity co-accused Ujjawal Kumar issued a cheque of Rs. 1,50,000/- but the same got

bounced due to insufficient fund. The complainant then gave notice to co-accused Ujjawal Kumar but he refused to receive the same and thereafter the present complaint has been filed.

It is submitted by learned counsel for the petitioner that petitioner was never been Manager of the said non-banking financial company. He was only an agent and he also invested in the scheme of the said company. The money was entrusted to a non-banking financial company and the cheque was consequently issued by the co-accused Ujjawal Kumar.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint Case No. 650 of 2013, Trial No. 1944 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Shageer/-

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