

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25829 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Mukesh Kumar Son of Rajdeo Singh Resident of Village- Khanpur,
Police Station- Ekangarsarai, District- Nalanda at Bihar Sharif

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 08-11-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Ekangarsarai P.S. Case No. 46 of 2016 registered under Sections-
420, 467, 468, 471/120B of the Indian Penal Code.

Petitioner is said to be manager of a Non Banking
Company and it is alleged that he as well as Directors of the
aforesaid company allured several persons to deposit the amount
with the aforesaid company and subsequently, the petitioner and
Directors of the aforesaid company closed the local office and got
disappeared.

Submission on behalf of petitioner is that the
petitioner was working as agent in the aforesaid company and

similarly, the informant and his witnesses were also working as agent in the said company and as a matter of fact, the petitioner, himself was cheated by the Directors of the said company. To fortify the above-said contention, learned counsel for the petitioner drew my attention towards Annexure-2 series as well as other annexures of the petition.

Learned counsel for the petitioner points out that Annexure-2 at page-17 of the petition goes to show that some amount had been deposited by the petitioner himself.

Learned counsel, appearing for the informant submits that the petitioner was main player of the aforesaid company and as a matter of fact, he as well as Directors of the said company played fraud on the customers including the informant and his witnesses.

The perusal of case diary shows that except the oral statements of witnesses, there is nothing to show that the petitioner was working as manager of the said company. Moreover, the annexures to the petition reveal that the petitioner, himself was cheated by the Directors of the said company.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner named

above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Ekangarsarai P.S. Case No. 46 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Hilsa, Nalanda subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

A.K.V./-

(Hemant Kumar Srivastava, J)

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