

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10786 of 2017

Arising Out of PS.Case No. -124 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

=====

Barun Kumar Singh @ Baroon Kumar Singh @ Varun Kumar Singh, Son
of Shri Sadhu Sharan Singh, resident of village- Raksel Tendua, P.S.-
Hariharganj, District- Palamu (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 12-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Aurangabad
(Town) P.S. Case No. 124 of 2011 instituted for the offence under
Sections 420, 467, 468 and 120(B) of the Indian Penal Code.

It is alleged that complainant was posted as Agent/Sr.
Counselor of O.C.P.L Company. He deposited amount of
Rs.1,25,000/- on account of insurance policy of several other
persons as mentioned in the complaint and on advice of accused
Nos. 2 and 4, acknowledgment receipts were given to the
complainant by the petitioner. All the insurance policy was taken
in the year 2008 and 2009. The acknowledgement of the policy
was given to the complainant but bond papers and PDR were not



given. The complainant met with the petitioner and other accused persons who always gave evasive reply and did not provide the paper and misappropriated the money.

It has been submitted on behalf of the petitioner that he has left the job of O.C.P.L. company with effect from April 2009. It has further been submitted that the petitioner has been granted bail in several other cases. The order passed in those cases has been annexed as Annexure-4 series.

Learned A.P.P. has submitted that prayer for anticipatory bail of the petitioner has been rejected by this Court vide order dated 4.4.2017 passed in Cr. Misc. 9536 of 2017 with respect to case filed by one of the depositors. This case is of similar footing. The witnesses in the case diary have supported the allegation against the petitioner.

From Annexure-4 series, it appears that several depositors have also filed case against the petitioner for misappropriation of their amount which is pending.

It is mentioned in the complaint petition that petitioner was the Branch Manager of the aforesaid company at that relevant time. There is specific allegation against this petitioner that he along with other accused misappropriated the amount of different depositors and bond papers as well as P.D.R.



were not delivered as assured to them at the time of their investment in the company. Although, the acknowledgement receipts with regard to the deposit of money by the depositors in the company has been issued by the petitioner.

In such circumstances, this court does not find it a fit case for grant of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner may surrender in the court below and make prayer for regular bail, which shall be considered on its own merit without being prejudiced by this order.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

