

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50401 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Binit Kumar, S/o Arvind Singh, Resident of Village- Parvada, P.S.- Belsar, District- Vaishali, currently Resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.
 2. Mr. Mahesh Prasad, S/o Yamuna Prasad, Resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur currently resident of Punaichak, P.S.- Shashtrinagar, Patna.
 3. Mr. Prakash Kumar Srivastava, S/o Late Chandrashekhar Srivastawa, Resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.
 4. Mr. Raju Kumar, S/o Naresh Kumar Sinha, Resident of Mohalla- Sherpur Road, Mithanpura, P.S. Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akhileshwar Pd. Singh, Sr. Adv. Mr. Sumeet Kr. Singh, Adv. Mr. Satendra Pd. Singh, Adv.
For the Opposite Party/s	:	Mr. Umanath Mishra, A.P.P

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 17-02-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek anticipatory bail in a case instituted for the offence under Sections 419, 420, 406, 467, 468, 471, 323, 504 and 120(B) of the Indian Penal Code.

It is alleged in the written report that the petitioner enticed the informant and other persons to deposit money in Mahalaya Company. They introduced the depositors that



Mahalaya Company is multi national company having its members in UAE Stock Exchange and also its business is spread over in 143 countries and Head Office of the company is in Dubai.

The informant and other family members deposited total amount of Rs.51,12,700/- and no payment of maturity amount as promised was made to them. The informant along with his family members made request to these petitioners several times but no payment was made either of the principal amount or the maturity amount. Despite this, the petitioners and other accused persons abused the informant and ousted him from the office. In this manner these petitioners with other accused persons have committed fraud and misappropriated huge amount of several persons including the informant and his family members. Earlier also the accused persons misappropriated huge amount for which Patliputra P.S. Case No. 396 of 2014 was registered on 14.12.2014.

The carbon copy of the case diary has been received. The learned A.P.P. has submitted that witnesses in paragraphs-5, 6 and 7 have supported the case.

In such circumstances, keeping in view the serious allegation against these petitioners of committing fraud with the informant and his family members and misappropriating the huge



amount of money from various parties, this Court is not inclined to grant anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

The petitioners are directed to surrender before the court below and make prayer for regular bail.

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(Sanjay Priya, J)

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