IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49815 of 2016

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

==

1. Ms. Archana Kumari, D/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. Mrs. Basanti Devi, W/o Late Chandrashekhar Srivastawa, resident of Mohalla-Sherpur Road, Mithanpura Lala, P.S.-Bela, District- Muzaffarpur.
3. Mrs. Bibha Srivastava @ Bibha Rani, wife of Mahesh Prasad, resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur, currently resident of Punaichak, P.S.- Shashtrinagar, Patna.
4. Mrs. Mamta Srivastawa, W/o Alok Kumar Srivastava, resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.
5. Ms. Sneha Nandani @ Sneha @ Sneha Kumari, D/o Late Chandrashekhar Srivastva, resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

==

Appearance :

For the Petitioner/s : Mr. P. K. Shahi, Sr. Advocate, with
Mr. Sumeet Kumar Singh, Advocate
Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

==

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5/ 09-03-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Brahampura P.S. Case No.214 of 2015 instituted for the offence under Section(s) 419, 420, 406, 467, 468, 471, 323, 504, 120-B Indian Penal Code, pending in Court of the Chief Judicial Magistrate, Muzaffarpur.

It is alleged in the written report that the petitioners enticed the informant and other persons to deposit money in Mahalaya Company. They introduced the depositors that Mahalaya Company is a multi national company having its member 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 ₹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.

From the allegation in the written report, it appears that all these petitioners are active member of aforesaid Mahalaya

Company and there is specific allegation of overt act against them in the written report of enticing the informant to deposit money and committing fraud with the informant to misappropriate the amount of the informant and his family members by not making payment of the principal as well as interest as mentioned in the written report.

It has been submitted by the learned APP that prayer of anticipatory bail of other accused persons has already been rejected by this Court by order dated 17.02.2017 passed in Cr. Misc. No.50401 of 2016.

In the aforesaid circumstances, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

Prayer is rejected.

The petitioners may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

JA/-

U		T	