

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4216 of 2012

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Ravi Bhushan Sinha, S/O Harihar Prasad, Regional Manager, Sahara India, Purnea-
At Present Regional Manager, Sahara India, Bhojpur At Arah, P.S.- Ara, District-
Bhojpur.

.... Petitioner/s

Versus

1. The State Of Bihar

2. Sri Ganesh Prasad Agarwal S/O Late Tola Ram Agarwal Resident of Ward No.-
10, Araria, P.S. & District- Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Vats, Advocate.
Mr. Abhishek Singh, Advocate.
Mr. Rajni Kant Singh, Advocate.
For the Opposite Party/s : Mr. Ajay Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL JUDGMENT
Date: 15-12-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner seeks quashing of the order dated
08.08.2011 passed by the Sessions Judge, Purnea in Cr. Revision No.
244 of 2011 thereby upheld the order rejecting the petition of
discharged filed by the petitioner dated 19.04.2011.

3. Brief fact giving rise to the case is that complainant
had an account under Daily Saving Scheme in local Sahara India
Branch Araria and used to deposit Rs. 20/- per day. It is alleged that
maturity amount with interest was Rs. 60,000/- to Rs. 70,000/- which



was not being paid by creating a forged document that the complainant had taken loan of Rs. 14,000/-.

4. Learned counsel for the petitioner submits that maturity amount was not being paid as a loan was taken against that amount by the informant ,however, maturity amount of Rs. 51,841/- was paid to the complainant pursuant to order dated 03.09.1998 passed in Cr. Misc. No. 17311 of 1998. This fact is also reflected from the order dated 10.12.2002 passed by the State Consumer Disputes Redressal Forum (Annexure-3 of the application); moreover the local Branch Managers, where the money was deposited, they also preferred quashing application against the same impugned order, and the criminal proceedings against Madhav Singh @ Madhav Kumar Singh and Brajesh Pandey, accused nos. 2 and 3 of the FIR, was set aside by order dated 10.02.2015 passed in Cr. Misc. No. 4375 of 2012. Similar is the position with the petitioner's case; moreover, Sahara India was not made accused and the petitioner was Regional Manager at the relevant point of time.

5. Having considered the submissions and on perusal of record, it becomes apparent that maturity amount has been paid to the informant and case of the petitioner is on identical footing to the case of accused Madhav Singh @ Madhav Kumar Singh and Brajesh Pandey who are local Manager and cashier, and the petitioner was



Regional Manager at Purnea. So the entire criminal proceeding of Ararea P.S.Case No. 238 of 1997 with respect to the petitioner only stands quashed.

6. The application stands allowed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
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