

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48157 of 2017

Arising Out of PS.Case No. -230 Year- 2017 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

1. Sitaram Sahni S/o- Rameshwar Sahni, resident of Village- Harpur Siloth,
P.S.- Muffasil, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-11-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Samastipur Muffasil Police Station Case No. 230 of 2017,
disclosing offences under Sections 406, 409, 420 and 468 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against these petitioner
and no specific overt act is attributed to them. In fact, the
petitioner happens to be agent of the company, Everlight
Realcom Infrstructure Ltd. and he only persuaded the informant
to deposit Rs. 50,000/- as fixed deposit in the aforesaid company
and a receipt thereof has also been provided by the Company to



the informant. The petitioner being the agent of the Company has only recommended the informant to deposit the amount for realization of better returns over the investment and he has not defalcated even a single rupee of the informant. Since the amount was deposited in the company in question, the sole responsibility lies on the company in which the petitioner has no role to play. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Samstipur, in connection with Samastipur Muffasil Police Station Case No. 230 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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