

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53666 of 2016

Arising Out of PS.Case No. -196 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Pramod Kumar Gupta, S/o Late Satya Narain Prasad Gupta, resident of
Jatbahera, P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 16-01-2017

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

The Petitioner seeks bail in Kotwali P.S. Case
No.196 of 2016 instituted for the offence under Section(s) 406 and
420 Indian Penal Code.

It is alleged in the written report that the petitioner
induced the Informant to invest money in Real Vision
International Ltd. and Prayag Company and on his inducement he
invested total sum of rupees four lac eighty thousand in both the
companies for which receipts were granted to him which have
been annexed by the Informant with the written report. It has
further been stated in the written report that the petitioner received
interest up to year 2013 and that money was invested between



2010 -15. The petitioner did not get any interest after 2013. Thereafter, he enquired from the petitioner, but he did not give satisfactory reply and in this manner, he has misappropriated his amount.

Counsel for the petitioner submits that the petitioner has not misappropriated the amount. According to the own statement of the Informant in the written report, money has been deposited with Real Vision International Ltd. and Prayag Company for which receipts have been issued to the petitioner, which have been enclosed by the petitioner along with the written report. Only allegation against the petitioner is that when the interest was not paid to the petitioner after 2013, the petitioner approached the Informant, who did not give satisfactory reply.

From the submission made on behalf of the petitioner as well as the written report, this Court finds that there is no specific allegation that the Informant had given money to him and he had misappropriated the same without depositing the same in the companies. The Informant himself has stated that his money was deposited in Real Vision International Ltd. and Prayag Company. The only allegation made against the petitioner is that the complainant deposited the amount on the inducement of the petitioner and after 2013, he is not getting interest. The petitioner



has civil remedy.

In such circumstances, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No.196 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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