

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23500 of 2017

Arising Out of PS.Case No. -1184 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Santosh Kumar Thakur @ Santosh Kumar, aged about 35 years, son of Sei Swyambar Thakur, Resident of Mohalla-New Alkapuri, P.O. Anisabad, District- Patna.

.... Petitioner

Versus

1. The State of Bihar,
2. Jitendra Kumar, Son of Late Mandip Thakur, Resident of Saristabad Purvi Tola, Sri Ram Path, House No. B/10, P.s. Gardanibagh, P.O. Anisabad, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Verma

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case no. 1184 (C) of 2016, registered under Sections 406 and 420 of the Indian Penal Code.

The allegation of complainant Jitendra Kumar is that he was doing job as a commission agent in Excella Real Project (India) Ltd. situated at jagat Trade Centre, 7th Floor, Room No. 713, Frazer Road, Patna and being the commission agent, he deposited Rs. 24,85,000/- of different customers in IMS, RD and FD schemes of the company at branch office situated at Frazer Road in which the petitioner was the Development Officer. Lather on, the branch office



of the Frazer road was closed and complainant demanded the said money to return the customers, but no heed was taken by the petitioner and other officials of the company.

Learned counsel for the petitioner submits that, in fact, Mr. R.S. Tiwary was the Chief Co-ordinator, Bihar-Jharkhand region of the said company, which would appear from Annexure-04 and the petitioner was also agent of the said company, but with ulterior motive, he has not been made accused in complaint petition. Moreover, the liability of the customers is upon its registered office situated at Kolkata.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna Sadar in connection with Compliant Case No. 1184 (C) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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