

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33838 of 2017

Arising Out of PS.Case No. -695 Year- 2016 Thana -KANKARBAGH District- PATNA

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Ajay Kumar Saraf @ Ajay Saraf Son of Kishan Lal Saraf, R/o 707, Gagan Apartment, 7th Floor, Exhibition Road, P.S.- Gandhi Maidan, Town & District- Patna.

.... Petitioner

Versus

1. The State of Bihar,
2. Gajanand pandey, Gramin Infotek Pvt. Ltd. Company, 102, Premkunj Apartment, near Bank of Boroda, Loyala High School, Kurji, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 13-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kankarbagh P.S. Case no. 695 of 2016, registered under Sections 447, 504, 506, 406, 420 and 120-B of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The accusation is that Rajeev Saraf and 8 others, including the petitioner, approached to informant Gajanand Pandey employed in 'Gramin Inphotec Pvt. Ltd. and asked him to invest Rishikool institute having its office at D-53, Doctor's Colony, P.N.B. Building, First Floor, Kankarbagh, accordingly, the informant/O.P. No.2 transferred Rs. 90 Lakhs in the account of Rishikool institution, when the informant approached at the office of Rishikool institution



then he was threatened on the point of pistol. The informant also came to know that 11 other persons have also been cheated by the accused persons. Later on, they started doing the business changing the name of the firm as Anchor Commerce Classes.

Learned counsel for the petitioner submits that, in fact, M/s Rishikool Institute in which the amount is said to be transferred of which co-accused Rajeev Saraf is sole proprietor of the said firm. The legal notice for returning the said money was also sent to Rajeev Saraf proprietor of Rishikool Institute, but with ulterior motive the petitioner, who is brother of petitioner, has falsely been implicated in this case.

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 in connection with Kankarbagh P.S. Case No. 695 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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