

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15355 of 2017

Arising Out of PS.Case No. -30 Year- 2011 Thana -JAMHORA District- AURANGABAD

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Barun Kumar Singh @ Varun Kumar Singh @ Baroon Kr. Singh Son of
Shri Sadhu Sharan Singh resident of Village Raksel Tendua P.S.
Hariharganj, District Palamu (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jamhore P.S.

Case No. 30 of 2011 instituted for the offence under Sections 406,
419 and 420 of the Indian Penal Code.

It is alleged that complainant was posted as Agent/Sr.
Counselor of O.C.P.L Company. He deposited amount of
Rs.2,33,000/- on account of insurance premium of several other
persons as mentioned in the complaint and on advice of accused
No. 1, acknowledgment receipts were given to the complainant by
the petitioner. All the insurance policy was taken in the year 2008
and 2009. The acknowledgement of the policy was given to the
complainant but bond papers and PDR were not given. The
complainant met with the petitioner and other accused persons



who always gave evasive reply and did not provide the paper and misappropriated the money.

It has been submitted on behalf of the petitioner that he has left the job of O.C.P.L. company with effect from April, 2009. It has further been submitted that the petitioner has been granted bail in several other cases. The order passed in those cases has been annexed as Annexure-4 series.

Learned A.P.P. has submitted that prayer for anticipatory bail of the petitioner has been rejected by this Court vide order dated 4.4.2017 and 12.4.2017 passed in Cr. Misc. 9536 of 2017 and 10786 of 2017 respectively with respect to case filed by the depositors. This case is of similar footing. The witnesses in the case diary have supported the allegation against the petitioner.

From paragraph 3 of the petition, it appears that several depositors have filed cases against the petitioner for misappropriation of their amount which is pending.

It is mentioned in the complaint petition that petitioner was the Branch Manager of the aforesaid company at the relevant time. There is specific allegation against this petitioner that he along with other accused misappropriated the amount of different depositors and bond papers as well as P.D.R. were not delivered as assured to them at the time of their



investment in the company, although, the acknowledgement receipts with regard to the deposit of money by the depositors in the company has been issued by the petitioner.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner may surrender in the court below and make prayer for regular bail which shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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