

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13825 of 2018

Arising Out of PS. Case No.-327 Year-2017 Thana- MASRAKH District- Saran

MD. TAHIR HUSAIN @ TAHIR HUSAIN, aged about 30 years, s/o Abdul Gani Ansari @ Gani Ansari, Resident of Village- Brahm Asthan, P.S.- Bhagwanpur, District- Siwan. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shama Sinha, Advocate

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Mashrakh P.S. Case No. 327 of 2017 registered for the offences under Sections 467, 468, 471, 419, 420, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is erstwhile employee of the company against which there appears to be some allegation of foul play. Referring to the order passed by the SEBI, learned counsel submits that for the irregularity committed by the company SEBI has fastened liability of Rs. 1 crore. Nevertheless, those who are supposed to protect the interest of the investors have not taken step to protect the investors from such company against which SEBI has imposed fine of Rs. 1 crore. Counsel submits that the petitioner is also victim of foul play of the company as he has also



invested huge money in the company. Earlier he was an employee of the company but now he has left the company. The petitioner has no criminal antecedent and he is also one of the victims of the foul play of the company.

Considering the aforesaid, the court is inclined to grant anticipatory bail to the petitioners. Let the petitioner, above named, be enlarged on bail, in the event of arrest/surrender within four weeks from today on furnishing bail bound of Rs 10,000(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate -6th Chapra in connection with Mashrakh P.S. Case No 327 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Before parting with, the Court deems it fit and proper to direct the Investigating Agency to undertake investigation on scientific line treating the instant case as serious economic offence considering the foul play of the company so that the investors' interest is protected against unscrupulous companies.

(Anil Kumar Upadhyay, J)

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