

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61545 of 2017

Arising Out of PS.Case No. -1390 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Nagina Prasad Kushwaha, S/o Late Ram Ayodhya Prasad,
2. Anup Kumar S/o Nagina Prasad Kushwaha,
3. Sheela Devi W/o Nagina Prasad Kushwaha, All three R/o Barwat Sena, P.S. - Bettiah (Muffasil), District- West Champaran.
4. Dilip Kumar S/o Nathu Prasad, R/o Nawka Tola, P.S.- Bhangaha, District- West Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Chitranjan Prasad S/o Late Heerman Prasad, R/o Village- Dhumnagar Purni Tola, P.S.- Nautan, District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-01-2018 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with complaint case no. 1390C of 2014 registered for the offences punishable under Sections 420, 406, 120B of Indian Penal Code.

The allegation in the complaint petition is that the petitioners herein had collected money from the people at large totaling to a sum of Rs. 22.27 lacs approximately in the name of a non-banking company and thereafter, the said amount is said to



have been deposited in the bank at Muzaffarpur. It is the further contention of the complainant that when the depositors had gone to the petitioners for refund of their money by the non-banking company, the officers threatened and abused them.

The learned counsel for the petitioners submits that the complainant of the present case namely Chitaranjan Prasad is also an agent of the non-banking company and is similarly situated as petitioner no. 1 while the petitioners no. 2 to 4 are the close relatives of petitioner no. 1 and have nothing to do with the said non-banking company. It is further submitted that the petitioner no. 1, upon detecting that the directors and the main officials of the non-banking company were trying to swindle the money of the general public, filed a complaint before the police against the said directors and officials of the non-banking company dated 24.07.2014 bearing complaint case no. 1440 (C) of 2014 which has given rise to Bettiah (Muffasil) PS case no. 318 of 2014. It has been further contended that as far as the petitioner no. 1 is concerned, he has been falsely implicated by the directors and other officials of the non-banking company who have set up the complainant namely Chitaranjan Prasad to file the present complaint against the petitioners herein so as to dissuade the petitioner no. 1 from pursuing his complaint which has been



converted into Bettiah (Muffasil) PS case no. 318 of 2014. It is further submitted that three other cases have been filed against the petitioners on same and similar allegation and in all the three cases, petitioners have already been granted bail.

Having regard to the facts and circumstances of the case, I direct the petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-V, Bettiah in connection with complaint case no. 1390(C) of 2014 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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