

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62165 of 2017

Arising Out of PS.Case No. -211 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Kumar Vijay Srivastava @ Vijay Kumar Srivastva S/o Dilip Kumar
Srivastava Resident of village- Sonali, P.S.- Kadwa, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Forbesganj PS case no. 211 of 2015 registered for the
offences punishable under Sections 418, 420, 406, 467, 468/34 of
Indian Penal Code.

The allegation against the petitioner is that while he
was Director of Kisan Parivar Agro Farming Company, the
informant had deposited a sum of Rs. 5 lacs belonging to several
depositors as an agent of the said company, whereafter the money
receipts and bonds were handed over to the depositors, however,
all of a sudden the said company was closed and the accused
persons ran away.



The learned counsel for the petitioner submits that the main accused is Md. Insan Ali who is the CMD of the company and the petitioner being a Director, did not have any control over the finance of the company. It is stated that the petitioner had long back on 19.3.2013 resigned as a Director of the said company. It is further submitted that the petitioner has a clean antecedent. The learned counsel for the petitioner further submits that the petitioner is willing to deposit a sum of Rs. 1 lac with the learned trial court subject to result of the case.

Having regard to the facts and circumstances of the case, I direct that the petitioner above named, upon surrendering before the learned trial court within six weeks and depositing a sum of Rs. 25,000/- in the Nazarat of the concerned trial court, be admitted to anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj PS case no. 211 of 2015 (GR- 1457/2015), subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

It is further directed that the rest of amount of Rs. 75,000/- be deposited by the petitioner in three monthly installments, beginning from the date of deposit of the first installment and after depositing the balance amount of Rs. 75,000/-, the provisional anticipatory bail granted to the petitioner shall be confirmed. Any failure to deposit the installment by the petitioner would lead to cancellation of the privilege of anticipatory bail and the petitioner would be taken



into custody forthwith.

(Mohit Kumar Shah, J)

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