

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53189 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -ARA NAGAR District- BHOJPUR

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Ajay Diwakar Son of Zalim Singh, resident of Village- Jawahar Tola, Near
D.A. V. School, P.S.- Ara Nawada, District- Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 08-10-2018

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Bhojpur (Ara) Town P.S. Case No. 05 of
2018 registered under Sections 420, 120(B), 406, 408, 467
and 468 of the Indian Penal Code.

Learned counsel for the petitioner submits that
this petitioner was one of the employees of the company in
which the informant is said to have invested an amount of a
sum of Rs. 1,28,000/-. It is submitted that there is no
allegation that the informant had invested the money or had
given the money to this petitioner, there is a categorical
statement that the money was invested in Ayam Multi Trade
Company and in Great Empire Private Limited Company.

Learned counsel submits that if he was
working as an employee of the company at the relevant time,
he was acting only in discharge of his official duties and had
never undertaken or guaranteed the return of the money to
the petitioner as all investment are subject to risk and the



petitioner would have exercised due diligence in this regard.

Learned Additional Public Prosecutor for the State is present and opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case whereunder it is submitted that this petitioner was himself an employee of the company and the money was not deposited with him or was not entrusted to him, in the event of his arrest/surrender before the court below within four weeks, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Bhojpur (Ara) Town P.S. Case No. 05 of 2018, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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