

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40763 of 2018

Arising Out of PS. Case No.-620 Year-2015 Thana- PATNA COMPLAINT CASE District- Patna

Mrs. Jayati Ganguli Majumdar W/o Mr. Patanjali, Mazumdar, R/o F-9/6 Krunamoyee Housing state, Salt Lake, P.S.- Bidhan Nagar East. Kolkata-700091. Petitioner/s

Versus

1. The State of Bihar.
2. Monoj Kumar S/o Sri Prahlad Rai Agrawal, R/o S/R enterprises, R.D. Mansion, Swaraj Path, Kankarbagh Road - P.S.- Kankarbagh in the District of Patna. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-11-2018

Heard learned counsel for the petitioner

and learned Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 420,406,120-B of the Indian Penal Code.

The complainant was allegedly cheated by Hygieia Life Care Pvt. Ltd. The Company and its Director are accused in this case.

Submission of the learned counsel for the petitioner is that the petitioner has stated on oath that she was simply a staff of the Company and not one of the Directors and she has been implicated as accused only for the reason that in her letter she assured to the complainant to get his account settled by the



Company. Contention is that the agreement would reveal that in the event of disputes, remedy of arbitration was there. Moreover, the Directors of the Company may be liable for any act committed by the Company against the complainant. The petitioner has already resigned from the said Company.

Considering the entire facts of this case aforesaid, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No. 620(C) of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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