

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31947 of 2018

Arising Out of PS.Case No. -49 Year- 2018 Thana -RIGA District- SITAMARHI

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1. SARITA CHOUDHARY @ SARITA DEVI W/o Surendra Choudhary resident of Village Aorlahiya P.S. Sahiyara District Sitamarhi at present Secretary Cum in Charge, The Sitamarhi Co-operative Saving and Shakh Swalambi Sahkari Samiti Ltd. Sitamarhi Branch Riga Franchise Station Road Riga District Sitamarhi.
 2. Surendra Choudhary S/o Achhelal Choudhary resident of village Aorlahiya P.S. Sahiyara District Sitamarhi.
 3. Rahul Kumar S/o Ashok Pandit @ Ashok Kumar Pandit resident of village Sangrampur Phandah P.S. Riga, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-08-2018 The petitioners are apprehending their arrest in connection with Riga P.S. Case No. 49 of 2018, registered for offences punishable under Sections 341, 323, 467, 468, 120B, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioners that they run Sitamarhi Co-operative Saving and Shakh Swalambi Samiti and allegation is that they contacted the complainant/informant and others and persuaded to deposit the money and get the money of others deposited also, on which, the complainant/informant got the money of different persons deposited in the said firm, however on maturity they refused to give any amount.

It has been submitted on behalf of the petitioners that



they have falsely been made accused in this case and in this case no beneficiary has come forward rather it is the complainant/informant, who has come with this false case and against deposit loans have been taken and due to which, the money of the beneficiaries have not been returned. However, on a query of this Court, learned counsel for the petitioner failed to show any document that he has been authorized by the R.B.I. to enter into transaction of deposit and granting loan.

Learned counsel for the State as well as informant opposed the prayer of bail on the ground that the petitioners have swallowed the money of beneficiaries and is not ready to return the same.

Having heard both sides, considering the facts and circumstances of the case and also the fact that these kinds of cases of fraud and cheating are these days prevalent in the State, as such, I am not inclined to grant the privilege of anticipatory bail to the petitioners. This application is, accordingly, dismissed.

However, the petitioners may surrender before the court below and pray for regular bail, which will be decided by the court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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