

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48419 of 2018

Arising Out of PS.Case No. -97 Year- 2014 Thana -ISUAPUR District- SARAN

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1. Pravin Kumar Agarwal S/o Late Mangtu Ram Agarwal, R/o Vardan Market, 1st Floor, M.G. road, Siliguri, District- Darjeeling, West Bengal - 734005.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akashdeep

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2018 The petitioner is apprehending his arrest in connection with Isuapur P.S. Case No. 97 of 2014, registered for offences punishable under Sections 406, 419, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

Allegation against the petitioner that he was looking after the income tax matters of the company of the informant and it is alleged that he in connivance with other co-accused of this case cheated the informant and got transferred some of the shares in the name of co-accused Kailash Chand Sahewala.

It has been submitted on behalf of the petitioner that he is chartered accountant of the said company and has nothing to do with the allegation and has falsely been made accused in this case and it is not the allegation that petitioner has misappropriated any



money of the informant.

Heard learned as well as learned counsel for the informant. Learned counsel for the informant submitted that the cases of other two co-accused persons, namely, Kailash Chand Sahewala and Mantu Agrawal have been sent to Mediation Board for settlement of dispute between the parties vide order dated 11.07.2018 passed in Cr. Misc. No. 39809 of 2018 and vide order dated 02.08.2018 passed in Cr. Misc. No. 45375 of 2018 respectively and the case of this petitioner may also be sent to the Mediation Board for settlement of dispute.

However, on perusal of record it appears that the case of this petitioner is entirely different from the above two co-accused of this case as they were the directors at some point of time in the company of the informant, whereas, this petitioner was only the chartered accountant, as such, let the petitioner above named, in the event of his 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Saran at Chapra, in connection with Isuapur P.S. Case No. 97 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is



further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a respectable person of the society or any public representative having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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