

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28899 of 2018

Arising Out of PS. Case No.-509 Year-2017 Thana- GOGRI District- Khagaria

Saroj Yadav @ Saroj Kumar, son of Late Bishundeo Yadav, resident of village – Barhara, P.S. Gogri, District – Khagaria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-05-2018

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Gogari P.S. Case no. 509 of 2017, registered under Sections 419, 420, 406 and 506 of the Indian Penal Code.

The accusation is that at the persuasion of the petitioner being the agent of Mahindra Kodak Insurance Company, the informant Fulen Kumar handed over Rs. 10,000/- in each year in between 2008 to 2010 on the assurance that on maturity Rs. 75000/- will be returned by the company, when informant approached the petitioner for returning of Rs. 75000/- then petitioner told the informant that he had deposited only Rs. 10,000/- as such petitioner cheated the informant and misappropriated his money.



Learned counsel for the petitioner submits that, admittedly, the petitioner is agent of Mahindra Kodak Insurance Company and on his persuasion the informant was ready to deposit Rs.10,000/- annually for three successive years, but informant only handed over Rs. 10,000/- to him for depositing the same in the company regarding which he also issued receipt and he is still ready to make correspondence with the company to return his money, but with ulterior motive the informant filed this case of collection Rs. 30,000/- to the petitioner in between 2008-10. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 509 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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