

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20912 of 2018

Arising Out of PS.Case No. -146 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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Wasim Ahmad S/o Shamsuzzoha, R/o Village- Parsauni, P.S.- Benipatti,
Distt.- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Sushmita Mishra
For the Informant : Mrs. Shama Sinha with Arvind Kr.Jha
For the Opposite Party/s : Ms. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Simri
P.S. Case No. 146 of 2017, registered for the offences punishable
under Sections 467, 468, 471, 406, 419, 420, 120B of the Indian
Penal Code and Section 3 of Bihar Protection of Interest of
Depositors Act, 2002.

Allegation against the petitioner, who happens to be
Chairman of Bhartiya Saksh and Bachat Sahyog Samiti Ltd., is of
collecting money from the members of the society and distributing
the same through loan.

Submission of learned counsel for the petitioner is that
though petitioner is involved in the transaction but several loans
are due with the loanees and petitioner is ready to return the
amount after recovery of loan amount. Further submission is that



informant is also a member of the Society and his due amount is Rs.80 lakhs. Learned counsel for the petitioner has informed that his Society is not registered with the Reserve Bank under Reserve Bank Act.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides and it appears that the petitioner is collecting money and distributing the same without having any registration with the Reserve Bank, which is punishable under the Reserve Bank Act and it is a case under Section 3 of Bihar Protection of Interest of Depositors Act, 2002. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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