

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3742 of 2018

Arising Out of PS.Case No. -1953 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Ram Prakash Yadav, S/o Vishnu Yadav,
2. Kulveer Kumar Yadav @ Kulveer Singh Yadav S/o Ram Prakash Yadav,
3. Ranveer Yadav @ Ranveer Singh Yadav, S/o Deo Nandan Yadav, R/o
Chatrapati Shivaji Colony, P.S.- Ishakchak, District- Bhagalpur.

.... Petitioners/s

Versus

1. The State of Bihar.
2. Md. Yusuf Khan @ Babul Khan S/o Late Akhtar Ali Khan, R/o
Sahebganj, P.S.- Vishvavidyalay, Distt.- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Subodh Kumar Mishra
For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 The petitioners are apprehending their arrest in
connection with Complaint Case No. 1953 of 2016, registered for
offences punishable under Sections 406 and 420 of the IPC.

Allegation against the petitioners, who are agents of
Ramel Industries Limited defalcated the amounts of investors.

It has been submitted on behalf of the petitioners that
petitioners only happen to be commission based agents and has
nothing to do with the allegations and they have taken the money
from investors only on behalf of the company and deposited the
same with the company and, therefore, the liability of
embezzlement of money of investors cannot be fastened on the



petitioners rather the owners of company are responsible for the said embezzlement. It has also been submitted that other co-accused having identical allegations has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 10.01.2018 passed in Cr. Misc. No. 56980 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners 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 CJM, Bhagalpur, in connection with Complaint Case No. 1953 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C as well as subject to following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the



investigation and make themselves available as and when required by the police and on the event of failure on their part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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