

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51062 of 2017

Arising Out of PS.Case No. -730 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Alok Kumar Srivastava, S/o Late Chandra Shekhar Srivastava, Resident of Mohalla-Sherpur Road, Mithanpura Lala, P.S. Bela, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Sri Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

9 11-07-2018

Heard both sides.

The petitioner seeks bail in Ahiapur P.S. case No. 730 of 2015 registered under Sections 406, 419, 420, 467, 468, 471, 341, 323, 504 and 120(B) of the Indian Penal Code.

The informant alleged that Mahesh Prasad, Alok Kumar Srivastava, the petitioner, Smt. Mamta Srivastava, Sri Prakash Kr. Srivastava, Sneha Kumari and others repeatedly requested him to invest money in Mahalaya and Magneto Computer Non Banking Company. The informant came to the office of petitioner who introduced himself to be Country Head and proprietor of the Mahalaya and Magneto Computer Non Banking Company. On the request of the accused persons



particularly the petitioner, Alok Kumar Srivastava, the informant invested Rs. 11,58,460/- but the informant neither received the principal amount nor maturity amount and the petitioner and other accused persons fled away. Whenever the informant tried to contact the accused persons they used unparliamentary language.

The learned counsel for the petitioner submits that altogether petitioner has been made accused in eight cases registered at different places besides the present one. The informant alleged that he and his family members invested altogether Rs. 12 lacs in the company. The petitioner is ready to deposit papers of fixed deposit of Rs. 10 lacs within three months from the date of his release. It is submitted that the petitioner is in jail since 13.09.2016. Notice was issued to the informant but informant was not found at his address given in the F.I.R.

Considering the facts that petitioner is ready to deposit the papers of fixed deposit of Rs. 10 lacs standing in his name within three months from the date of his release so that the informant may get the money after disposal of the case, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- XII, Muzaffarpur, in



connection with Ahiapur P.S. case No. 730 of 2015.

One of the bailors shall be close relative of the petitioner having immovable properties. If the petitioner fails to deposit papers of fixed deposit of Rs. 10 lacs within three months from the date of his release the learned Court below shall cancel the bail bonds of the petitioner forthwith after lapse of three months.

(Prabhat Kumar Jha, J)

BKS/Rajan

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