

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2346 of 2018

Arising Out of PS.Case No. -1209 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Rajiv Kumar Singh, S/o Om Prakash Singh, r/o village- Premnagar,
P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Chandeshwar Kumar, s/o late Ramu Sah, r/o village + P.S.-
Runnisaidpur, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Complaint Case**
No.1209 of 2016 instituted for the offence under Section(s) 420,
409 Indian Penal Code pending in the Court of the **Sub Judge**
VII-cum-ACJM, Sitamarhi.

It is alleged in the Complaint Petition that the
petitioner was Director of the project, namely, Orchid Cultivation
Project India Ltd. The petitioner along with other accused
persons performed *Bhumi Pujan* on 16.08.2011 and asked the
villagers to become agent and one time investment was also
invited. The petitioner gave assurance that upon maturity money
will be refunded with prevailing interest rate. The Complainant



and other witnesses of the case deposited the amount in the office of the said project, which was situated at Dumra Road, Shanti Nagar, Shiv Shakti Palace, Sitamarhi, and Pass Books were also issued. When the Complainant and others went to withdraw the money after the fund attained maturity then they were not paid the money by the petitioner and other accused persons. The Complainant found the office closed. The petitioner and other accused persons misappropriated the amount. The Complainant has further alleged in the Complaint Petition that he along with other depositors had deposited about twenty four lacs and total amount of misappropriation may come to crores of rupees on investigation.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

It is made cleat that in the event the petitioner at the time of his surrender in the Court below makes payment to the Complainant and the same is accepted by the Complainant, the



Court below will consider the prayer of the petitioner for regular
bail in accordance with law preferably on the same day.

(Sanjay Priya, J)

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