

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19158 of 2018**

Arising Out of PS. Case No.-1433 Year-2016 Thana- GAYA COMPLAINT CASE District-  
Gaya

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1. Mukesh Kumar, Son of Om Prakash Gupta, R/o 8 Kujap, P.S.- Chandauti, Dist- Gaya.
  2. Ranjeet Kumar, Son of Mundrika Prasad, S/o Dina, P.S.- Guraru, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pappu Kumar, Son of Late Krishna Prasad, Resident of Village- Kujap, P.S.- Chandauti, District- Gaya.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Gupta  
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

5      25-08-2018              Heard learned counsel for the petitioners and learned APP  
for the State.

Petitioners apprehend their arrest in Complaint case no.  
1433 ( c) of 2016 instituted for the offence under Section(s)  
323, 420, 468, 471 and 504 of the Indian Penal Code.

It is alleged that these petitioners and other accused  
persons started non- banking business in the name of M/S  
Swarn Bhumi Mutual Benefit India Ltd. with registered office  
at Gaya and designated themselves as Directors. Complainant  
was appointed as an agent of the Company for collection and  
depositing the amount. It is further alleged that complainant  
got opened account of seven persons and total amount of Rs.



2,59,000/- was deposited in the said Company. Thereafter, said Company was closed. The complainant and depositors went to the house of these petitioners on the date of occurrence. The petitioners with other accused persons refused to return the amount and also gave threat.

This Court, vide order dated 25.6.2018 has referred the matter to the Mediation Centre of the Patna High Court but dispute between the parties could not be resolved.

In the written report, there is specific allegation against the petitioner of misappropriating the money of depositors by opening non banking company.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Prayer for anticipatory bail of the petitioners stands rejected.

Petitioners may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

**(Sanjay Priya, J)**

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