

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55399 of 2018

Arising Out of PS. Case No.-180 Year-2016 Thana- KOCHAS District- Rohtas

Manoj Kumar @ Manoj Kumar Gupta, Son of Indrashan Sah, Resident of
Mohalla- Jagdeonagar, Ward No.4, Police Station- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kochas P.S. Case no. 180 of 2016, registered under
Sections 406 and 420 of the Indian Penal Code.

Petitioner is said to be an agent of the Eril Vihar
Mutual Benefit Limited and has taken Rs.1 lakh from the
informant and in lieu thereof handed over a policy of the said
Company to him. The aforesaid Company has now winded up
and his amount has been embezzled. On demand of the money
by the informant, he extended threatening to the petitioner
through his elder brother.

It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
Petitioner happens to be mere agent of the aforesaid Company



and informant has taken policy of Rs. 1 lakh of the aforesaid Company under monthly income scheme and petitioner taking the money had issued receipt etc. in favour of the informant and the informant has also withdrawn Rs.10,000/- as monthly income on two months. The Director and other officials of the said Company have been apprehended in connection with the winding up of the Company and misappropriation of the money of the depositors. Petitioner has no concern with the aforesaid money. He has not defalcated the said money.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st Sasaram, District- Rohtas in connection with Kochas P.S. Case No. 180 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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