

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11133 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- DALSINGHSARAI District- Samastipur

Raja Ram Mahto, age about 35, Gender, male, S/o Sri Ram Vilash Mahto
R/o- Village Chakbahauddin, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Dalsingsarai P.S. Case No.239/2018 registered for the offence punishable under Sections 409, 419 and 420 of the Indian Penal Code.

Informant has alleged that on the request of the petitioner, she had deposited Rs.35,000/- as a fixed deposit in the Company of which petitioner was an agent on assurance that after 5 years, the amount will be doubled, however, when she asked him to repay the double amount after 5 years, he started making excuses and did not return the money and even abused and assaulted her.

It has been submitted on behalf of the petitioner that he was an employee and agent of the Company and he himself has been duped by the Company. Since the Company was registered with SEBI and was permitted by Reserve Bank of



India for non-banking Business, the credibility of Company was never doubted, however, altogether 1463 persons had deposited the amount in the said Company but said Company fled away with the amount without making any payment to its depositors. It has been further submitted that the allegation of misappropriation and defalcation by the petitioner is not correct as he himself is a victim of said forgery.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, District, Samastipur in connection with Dalsingsarai P.S. Case No.239/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

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