

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7127 of 2019**

Arising Out of PS. Case No.-2449 Year-2015 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Shaharyar Abdin @ Shaharyar Abdin son of Md. Ainul Abdin Resident of village- Puraini, P.O.- Puraini Mina Bazar, P.S. Jagdishpur, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manoj Kumar Mandal Son of Bindeshwari Mandal Resident of Chai Tola, P.S. Kajraili, District Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Narendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 04-04-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 2449 of 2015, disclosing offences under Sections 406, 420, 120(B) of the Indian Penal Code.

Allegation against the petitioner, who happens to be the Chairman of Infrastructure Project Pvt. Ltd. and Agro Pvt. Ltd., is that by assuring the complainant and others, he got the money deposited in the account of the company and thereafter he fled away and not returned the amount.

Submission of learned counsel for the petitioner is that the company is a registered company and the investment, which has been made by the complainant and others is deposited in the account of the office in Kolkata and no investment has



been made in the local office and considering the same, the petitioner has been granted regular bail in another case vide order dated 20.07.2017 passed in Cr. Misc. No.31414 of 2017 and vide order dated 21.09.2017 passed in Cr. Misc. No. 46783 of 2017 and some other accused persons have been granted anticipatory bail vide order dated 27.02.2018 passed in Cr. Misc. No.7280 of 2018.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioner on the ground that the petitioner is the Chairman of the company and he is mainly responsible and others, who have been granted bail are the employees of the said company.

Having heard both sides, in view of the facts and circumstances of the case as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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