

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18852 of 2019

Arising Out of PS. Case No.-1077 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

PAPPU KUMAR @ PAPPU KUMAR SAH Son of Hardeo Sah R/o village-
Ward No. 4, Noorpur, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Rajo Devi Wife of Pramod Paswan R/o village- Misadpur, P.S.-
Barauni, District- Begusarai

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 06-08-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 1077C of 2017 registered under Section

420 of the Indian Penal Code.

Allegation against the petitioner, as per complaint lodged
by O.P.No. 2, is that petitioner introduced himself as agent of
M/s Angel Agritech Co. Ltd. , a non-banking company, and
persuaded the complainant to invest money in the company with
assurance that money would be returned with interest after
maturity period. It has further been alleged that complainant
deposited a sum of Rs. One lac and her other relatives also
deposited and altogether Rs. 10 lacs were deposited in the
company at the behest of the petitioner, but the money deposited
by the complainant as well as others is not being returned and



the same has been misappropriated by the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case by filing a complaint without making the company and its Director as party. Learned counsel further submits that petitioner was an employee of the company and was working as an agent and he was not the Director or a person responsible for the affairs of the company. He further submits that in fact petitioner himself lodged an FIR against the company and its Director and other officials, in which charge sheet has been submitted by the police after investigation against the person responsible for the affairs of the company. Learned counsel further submits that a writ petition was also filed before the Kolkata High Court by the investors, in which the Hon'ble Kolkata High Court appointed One-man Commission, headed by Hon'ble Chairman, Justice Shyamal Kumar Sen (retd.). Learned counsel, relying upon Annexure-3, submits that complainant/O.P.No. 2 has raised her claim before the said Commission, which is pending consideration before the learned Commission.

On the other hand, learned counsel appearing on behalf of the complainant/O.P.No. 2, submits that complainant has been induced by petitioner and on his assurance himself, the



complainant and her relatives invested huge amount of Rs. 10 lacs in the said company.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner was merely an agent/employee of the company and the Hon'ble Kolkata High Court has appointed One-man Commission, in which the complainant has already staked her claim for refund of deposited amount, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai in connection with Complaint Case No. 1077C of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

