

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21387 of 2019

Arising Out of PS. Case No.-772 Year-2002 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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BIJAY BAHADUR SINGH @ BIJAY KUMAR SINGH, aged about 65 years,
Male, Son of Keshwar Singh Branch Manager, Kaimur Finance Branch at
Sasaram , Resident of Village - Ahinaura, P.S.- Mohania, Distt.- Kaimur
... Petitioner

Versus

1. THE STATE OF BIHAR
2. Ram Pratap Singh Son of Badri Narayan Singh Resident of Village - Chaita
English, P.S.- Sanjhauli, Distt.- Rohtas at Present Mohalla- New Area
Sasaram, P.S.- Sasaram Town, Distt.- Rohtas

... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Adv.
For the Opposite Parties : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-04-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
20.11.2018 in connection with Complaint Case No. 772 of 2002
for the offences alleged under Sections 420 and 406/34 of the
Indian Penal Code.

The complaint case, lodged by opposite party no. 2, is
that he made a fixed deposit of Rs.25,000/- in three transaction
with the Kaimur Finance Company in which the petitioner was
the Branch Manager of the said area which assured maturity
after four years, but, when the complainant went to recover the
maturity amount of his deposits, he did not receive the same and
was informed that the Managing Director, Anil Kumar, was in



custody whom he met, who also assured of payment, but, the complainant did not receive maturity amount.

It has been submitted by the learned counsel for the petitioner that the said Kaimur Finance Company Private Limited is in liquidation as held by this Court in Company Petition no. 1 of 2010, dated 03.02.2012, as contained in Annexure 2, wherein Official Liquidator has been appointed and large number of depositors have filed their application before the Official Liquidator for recovery of their matured amount. He, further, submits that the petitioner was just the Branch Manager of the said financial company. He, further, submits that the petitioner is languishing in judicial custody since more than four months. It is, further, submitted that in another complaint case lodged by one of the depositors the petitioner has already been granted the privilege of bail of this Court on similar allegations.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the materials on record and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like



amount each in connection with Complaint Case No. 772 of 2002 to the satisfaction of the learned Subdivisional Judicial Magistrate, Rohtas at Sasaram, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shamshad/-

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