

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34233 of 2019**

Arising Out of PS. Case No.-3493 Year-2018 Thana- PATNA COMPLAINT
CASE District- Patna

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RAVI KIRAN Son of Shivesh Chandra Resident of Village - Salimpur Ahara,
Lane No.1, Ramesh Electric, Salimpur Ahara, P.S.- Gandhi Maidan, Dist.-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Raj kumar Prasad Son of- Shankar Rai Resident of - Alipur, P.S.- Beur,
Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Prakash Kumar, Advocate.
For the O.P. No. : Mr. Rajniti Pd. Singh, Advocate.
For the State : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 06-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 420, 467, 468, 471, 120B/34 of the
Indian Penal Code registered in connection with Complaint Case
No. 3493C of 2018.

3. It is submitted that the petitioner has been falsely
implicated and on the invitation of the petitioner, the
complainant agreed to work by debiting deposit from investors
and accordingly he aggregated Rs. 5,00,00,000/- (five crores)
from depositors with a maturity period of five years carrying



interest. It is submitted that the petitioner was neither a Director nor the Branch Manager of the companies in question rather he was only the coordinator at the Branch office. It is further stated that the petitioner was working in the companies between the years 2010-2011 whereas the companies closed down in the year 2015. In any event all the aggrieved investors had furnished their certificates with their claims before the Special Judge, Gwalior pursuant to the case instituted at the instance of the Administrator of the companies. It is therefore submitted that the ingredients of the offences alleged are not made out against the petitioner who claims clean antecedents.

4. Learned counsel for the Company appears and opposes the petition. It is submitted that the accused persons have worked in tandem to cheat the depositors as the company closed down when the time came for making payments to the depositors.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 2nd Class, Patna in connection with Complaint Case No. 3493C of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and



also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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