

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44042 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Anil Prasad @ Anish Prasad @ Anil Kumar Singh, aged about 51 years
(Male), Son of Ram Ratan Prasad, Resident of Village - Bhadokhara, P.S.-
Tilauthu, Dist.- Rohtas at Sasaram

... .. Petitioner

Versus

1. The State of Bihar
2. Dulari Devi, aged about 60 years, W/o Shailendra Sharma Resident of
Village - Bhediya, P.S.- Dehri, Dist.- Rohtas.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 134 of 2018,
registered for the offence under Section 406/34 of the Indian
Penal Code.

As per the F.I.R. the petitioner and one Sonu Gupta,
who are the Manager of Vishwamitra International Ltd. came to
the house of the complainant and gave different type of
allurements and on persuasion of both the persons, the informant
and her daughter invested Rs.8,70,000/- in the different schemes
of the petitioner's company, but on maturity when the informant
and her daughter came to the office to claim the amount, the
office was found to be closed and the petitioner and others fled



away.

Learned counsel for the petitioner submits that the petitioner is an employees of the Company and has nothing to do with the deposit of the money as it is the company who is responsible for the return of the same.

Whereas, learned counsel for the informant submits that on persuasion of the petitioner, the informant and her daughter invested such a huge amount in a hope of better return. He further submits that co-accused Sonu Gupta has moved before this Court for Anticipatory bail in Criminal Miscellaneous No.39507 of 2019, which has been dismissed vide order dated 27.06.2019.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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