

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41546 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

MD. AKHTAR REZA Son of Gyas Uddin @ Md. Gayasuddin Resident of
village- Dherwa Kharwanna, P.S. Hasanganj, District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agarwal, Sr. Adv. Mr. Bimal Kumar, Adv.
For the E.O.U.	:	Mr. Vishwanath Prasad Singh, Sr. Adv. Mrs. Soni Srivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 04-11-2019 This application, for grant of anticipatory bail, arises out of Economic Offence P.S. Case No. 01 of 2019, disclosing offences under Sections 406, 409, 420 and 120(B) of the Indian Penal Code and Section 03 of B.P.I.D. Act 2002.

Prosecution case as per F.I.R. is that informant, who is the Additional Collector, received complaints from the various persons with respect to transaction made by non banking firm, namely, MSCS Credit Co-operative Society from different persons and they accumulated crores of rupees and, thereafter, they closed their office and did not return the money of investors and the petitioner happens to be Club Manager in the aforesaid company and it is alleged that he has also persuaded several persons to invest in the company.

Submission of learned counsel for the petitioner is that



the has falsely been implicated in this case and he happens to be only Club Manager of the company and has resigned from the job much prior to institution of F.I.R. in the present case and there is no other evidence against him.

On the other hand, learned Senior Counsel appearing on behalf of Economic Offence Unit has opposed the prayer for anticipatory bail and submitted that in this case process of proclamation under Section 82 has already been exhausted against the petitioner and there are also statement of witnesses showing the hand of petitioner in the present case, as such, he does not deserve the privilege of anticipatory bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed .

(Vinod Kumar Sinha, J)

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