

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48634 of 2018

Arising Out of PS. Case No.-532 Year-2015 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. Ms. Archana Kumari, D/o Arvind Singh,
 2. Binit Kumar, Son of Arvind Singh, Both resident of Mohalla- Parwada, P.S.- Belsar, District- Vaishali. at present resident of Mohalla- Sherpur Road, Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.
 3. Ms. Bibha Srivastava @ Bibha Rani, D/o Late Chandra Shekhar Srivastava, Wife of Mahesh Prasad,
 4. Mahesh Prasad, Son of Yamuna Prasad, Both resident of Mohalla- Sherpur Road Mithanpura Lala, P.S.- Bela, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 10-01-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 419,420,467,468,471,406,323,504 and 120B of the IPC.

The prosecution case as per the written report of Murari Sharan Sahay submitted to the SHO, Kazi Mohammadpur Police Station, Muzaffarpur is to the effect that ten FIR named accused persons including the petitioners persuaded the informant and other persons to invest in a non-banking company, namely, Mahalaya Company and Mageneto Computer. Co-accused Alok Kumar Shrivastava was the Managing Director of the said company. It is alleged that more



than a crore rupees was invested by the various investors and subsequently, they shut down the company and escaped from the scene.

It is submitted by learned counsel for the petitioners that the petitioner nos. 1 and 2 are the employees of the said non-banking financial company whereas petitioner nos. 3 and 4 are sister and brother-in-law of the main accused Alok Kumar Shrivastava. Altogether 8 different investors have lodged seven cases and the petitioners are on bail in other cases. It is further submitted that the petitioners were not in the management of the company in question, rather the petitioners themselves have been cheated. It is further alleged that petitioner no. 1 is an unmarried girl whereas co-accused Alok Kumar Shrivastava has been granted regular bail on deposit of Rupees Thirty Five Lacs vide Cr. Misc. No. 8907 of 2017. Co-accused Prakash Kumar Shrivastava has been granted anticipatory bail vide Cr. Misc. No. 47219 of 2018.

Learned APP submits that it appears that the petitioners persuaded the different investors to invest in the company in question , which is alleged to have cheated the public at large.

Considering the fact that the thrust of accusation is against co-accused Alok Kumar Shrivastava who was running



the said non-banking financial company and the petitioners have been granted bail in other similar nature of cases, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, East Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No. 532 of 2015 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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