

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45946 of 2019

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

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ARVIND KUMAR SRIVASTAVA @ ARBIND KUMAR Son of Late Nawal
Kishore Srivastava Resident of Jagannathupur, Police Station- Kurhani,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Raj Kumar Prasad Son of Shankar Ray Resident of village- Allipur, P.S.-
Beur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.J. P. Singh, Sr. Advocate. Mr. Dipak Kumar, Advocate.
For the O.P. No.2	:	Mr. Uday Kumar Sinha, Advocate.
For the State	:	Mr. Uday Pratap Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 15-10-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Sections 406, 420, 467, 468, 471/34 and 120B
of the Indian Penal Code.

Like other depositors, complainant deposited
money in the Garima Real Estate & Allied Limited Company
on the assurance by the company and its authorized officials of
doubling the amount deposited within six years, but the said
company was closed in the year 2016 and when the



complainant and other depositors claimed their amount on maturity, petitioner and other accused persons aborted the same. Thus said company and its officials including the petitioner devoured the hard earned money worth Rs.5 crores of the complainant and other depositors.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. None has deposited any money with the petitioner. He has not taken any money from them. He happens to be employee of the said company being the Branch Manager, Patna. Administrator of the said company has lodged case in the Court of learned District Judge cum Special Judge, Gwalior (M.P.) and in the said case District Judge has ordered to make repayment of the money of the depositors from the attached money of the company and several depositors have made their claim for return of their money deposited in the said company. Informant happens to be commission agent of the said company and he has not deposited any money with the company. Similarly situated co-accused, namely, Ravi Kiran has been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 06.09.2019 passed in Cr. Misc. No. 34233 of 2019.



Notice to the complainant was issued by this Court but despite service of notice upon the complainant, he did not turn up before the Court.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Patna in connection with Complaint Case No. 3493(C) of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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