

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56784 of 2019

Arising Out of PS. Case No.-127 Year-2016 Thana- SUPAUL District- Supaul

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1. Rita Devi, Wife of Narendra Sah, Resident of Village - Kaushlipatti Ward No. 4, P.S.- Pipra, District - Supaul.
 2. Kaushalya Devi Shastri @ Kaushalya Devi, Wife of Lalbahadur Shastri, Resident of Village - Pathra, Jolhaniya ward No.- 05, P.S.- Pipra, District - Supaul.
 3. Lalbahadur Shastri, Son of Mohan Sah, Resident of Village - Pathra, Jolhaniya ward No.- 05, P.S.- Pipra, District - Supaul.
 4. Manoj Kumar Goswami, Son of Baidynath Goswami, Resident of Village - Pathra, Jolhaniya ward No.- 05, P.S.- Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and learned
APP for State.

The petitioners in this case are seeking anticipatory
bail in connection with Supaul P.S. Case No.127 of 2016
registered for the offences punishable under Sections 406, 420
and 120B of the Indian Penal Code.

The petitioners are said to be the agents of the non-
banking financial company namely Prayag Infotech Hi-Rise
Company Limited, Supaul Branch. They have been made
accused in this case on the allegation that they happen to be the



agents of the company who had collected money from the investors and fled away.

Learned counsel for the petitioners submits that the petitioners being unemployed persons had joined the company finding a job opportunity and the money which were collected for and on behalf of the company were deposited with the said company and at this stage if the investors find that the company has fled away, these petitioners who were having a limited authority as an agent cannot be implicated alleging offence under Sections 406, 420 and 120B of the I.P.C.

Learned counsel further submits that the similarly situated accused persons have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.55680 of 2019.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it appears that the petitioners are agent of the company and they were working with a limited authority to collect money for and on behalf of the company and there is no allegation that it is they who have misappropriated the money, let the petitioners in the event of their arrest or surrender within a



period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No.127 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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