

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4948 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Virendra Kumar Gandhi @ Birendra Kumar Gandhi, S/o Late Krishana Lal
Shrivastava, Resident of Village-Beaur Side Anisabad, P.S-Beaur, Distt.-
Patna, At present Residing At P.O-Ghansoyi, P.S-Ghansoyi, Distt.-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Opposite Party/s : Md. Iftekhar Mahmood

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 31.10.2018
in a case registered for the offences punishable under Sections
406 and 420 of the IPC.

The prosecution case, as per the written report of Mosmat
Manju Devi, submitted to the A.D.G. of Police, Economic
Offences Unit, Patna, is to the effect that the husband of the
informant being A.S.I. in Bihar Police died on duty during the
2004 Lok Sabha elections. On the persuasion of one Yashwant



Bharti, coordinator of Sahara India Investment Company, the informant invested huge amount of money under different schemes in the said company. It is further alleged that after maturity, the amount was reinvested forcefully. As a result, the informant did not get any maturity amount, and consequently, she is unable to get her daughter married due to financial hardship.

It is submitted by learned counsel for the petitioner that the petitioner was a cashier in Mohiuddin Nagar Branch of Sahara India Investment Company. The petitioner was not named in the FIR and his name sprang up during investigation. Moreover, there is no accusation that the petitioner persuaded the informant to invest money in the said company. It is not a case of misappropriation of money, hence no case against the petitioner is made out. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the informant has been cheated by the Sahara India Investment Company.

Considering the fact that the name of the petitioner sprang up during investigation and investigation has already been concluded, coupled with the statement made in paragraph



no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **C.J.M., Samastipur** in connection with **Mohiuddin Nagar P.S.** **Case No.45 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

U		T	
---	--	---	--

