

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70825 of 2018

Arising Out of PS. Case No.-120 Year-2011 Thana- BAUNSI District- Banka

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Kamlesh Narayan Son of Sri Ramashraya Sharma, as the chairman of the Bihar State Ruler Co-operative Housing Federation Limited, Patna. at present address resident of Village/Mohalla- Rajeev Nagar, Police Station- Rajeev Nagar Road number-9, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Bounsi P.S.Case No.120 of 2011 dated 16.8.2011 registered for offences punishable under Sections 420, 406, 467, 468, 471 of the Indian Penal Code.

Petitioner happens to be the Chairman of the Bihar State Ruler Co-operative Housing Federation Ltd., Patna and the allegation against the petitioner is that he approached the informant and assured that the Federation Social Welfare Offices are running in the State of Bihar and Jharkhand and the offices are going to be opened in the Baunsi and on the request of the Officers, 100 members were got nominated by the petitioner and Rs.250/- by each member were collected and as



per the rules, Rs.01 lac will be given for appointment and the housing loan on the simple interest. It is also alleged that the petitioner in this way got deposited Rs.20,000/- from the informant on the pretext that the informant and other members will be given loan of Rs.1,25,000/- each and a cheque was given and that cheque of Rs.50,000/- was deposited in the Central Bank, Panjwara which bounced . It further appears that the petitioner is also accused in three other cases.

Submission of the learned counsel for the petitioner is that the cheque was given on condition that all the documents will be deposited and only then the cheque be deposited, which will appear from Annexure-3 and the Co-originator has also issued show cause to the Incharge of the Regional Office about the issuance of post dated cheque and the whole allegation is false and concocted.

Heard learned A.P.P. , who has opposed the prayer for bail stating that the materials collected during the investigation also supports the case.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of six weeks from the date of order and on surrender he will be released on



provisional bail till submission of the charge-sheet and during that period he has to deposit all the papers to the Investigating Officer, who will esquire into the same and even if the case is found true and the charge-sheet has been submitted against the petitioner, he has to surrender and make prayer for regular bail, which will be considered on the basis of materials available on the record at that time.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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