

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80481 of 2019

Arising Out of PS. Case No.-1041 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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SUSHIL KUMAR SINGH S/o Mohan Lal Former Director, Anand Nidhi Credit Co-operative Society Ltd. Pushp Bajaj Building, P.S.- Alambagh in the District of Lucknow (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Baidh Nath Kumar S/o Late Lalbabu Sah R/o Mohalla- Nakhas Road, Sonarpatti, P.S.- Hajipur Town, District- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 420, 120(B) of the Indian Penal Code.

Complainant has alleged that petitioner along with co-accused opened a branch of Anantnidhi Credit Co-operative Society Ltd., Lucknow in Hajipur for the purpose of depositing money in several schemes from investors of Vaishali, Saran and Muzaffarpur districts. The complainant had joined the branch of Society as an agent and thereafter due to his performance, he was promoted to the post of Branch Manager and was promised



to get Rs.20,000/- per month as salary but after March, 2018, Society did not pay his salary as well as maturity amount of investors. Thereafter, informant came to know that Co-operative Societies, Ministry of Agriculture, Government of India had issued a letter dated 13.02.2019 to the Society for winding up the said company and also to return money of the investors. As such, petitioner along with co-accused cheated him and hatched conspiracy to grab rupees 3 to 4 crore of innocent people.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that complainant has cooked up a false case against petitioner to extract some unlawful advantage from petitioner. The complaint is quite vague as there is no mention of any detail of deposited amount in the said society. It has been submitted that petitioner himself was an employee of the said company and was authorized to sign documents related to new connection of telephone, electricity and labour registration on behalf of the the said Society. Petitioner has no criminal antecedent.

Learned counsel for the complainant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.1041 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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