

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86032 of 2019

Arising Out of PS. Case No.-149 Year-2017 Thana- ARA NAGAR District- Bhojpur

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VIJAY PRAKASH THAKUR Son of Sri Parash Nath Thakur Resident of
Village - Dubha, P.O.- Rajapur, P.S.- Simari, Distt.- Buxar, Bihar - 802131

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr.Kanhaiya Pandey
For the Opposite Party/s :		Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned senior counsel for the petitioner and

the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ara Town P.S. Case No. 149 of 2017 for the offence
registered under Sections 406, 420, 120B/34 of the Indian
Penal Code.

The allegation is regarding D.J.N. Group of
Companies having opened various branches and one branch was
also opened in Ara Town High School and it is alleged that the
said company was engaged in making members for deposit of
money upon a promise of return of the said money with interest
@ 4% to 10%, however, it is alleged that the informant and his
wife had deposited a total sum of Rs. 5,48,835/-, however,



after some time the aforesaid company had closed its business and had fled away with the money of the informant and his wife.

The learned senior counsel Shri Yogesh Chandra Verma has submitted that the petitioner is innocent and has been falsely implicated in the present case inasmuch as he is only the Branch Manager at Ara office of the aforesaid D.J.N. Group of Companies whereas the owners of the company are different. It is further submitted that though the petitioner has been made an accused in other cases but the same have been filed by the depositors. Lastly, it is submitted that the owners of the aforesaid company as also its Proprietor/ Managing Director etc. are also accused in the present case, hence no prejudice would be caused to the prosecution if the petitioner is granted the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned senior counsel for the petitioner coupled with the fact that the petitioner is only an employee of the company in question and the Proprietor /Director/Managing Director etc. of the said company are accused in the present case, this Court finds that no prejudice will be caused to the prosecution in case the petitioner is



admitted to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 149 of 2017 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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