

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17864 of 2020

Arising Out of PS. Case No.-308 Year-2019 Thana- SAHARSA District- Saharsa

RADHA KANT LAL DAS @ R.K.L. DAS @ RADHAKANT LAL DAS Son
of Late Surya Narayan Lal Das Resident of Naya Bazar, Ward No. -3, P.S. and
District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dheeraj Kumar Son of Ramesh Prasad Singh Resident of Village -
Dhamsaini, P.S. and District - Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 08-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Saharsa Sadar P.S. Case no. 308 of 2019 registered under
sections 406, 420, 409, 120B and 504 of the Indian Penal Code.

As per allegation in the FIR, the accused nos. 1 to 14
are stated to have been running a non-banking financial
company in the name of Central Bank Employees Saving and
Credit Self Supporting Co-operative Society Ltd, Supaul
Branch, Saharsa. It is stated by the informant that as a result of
the offer/instigation by the accused no. 14, the informant had



started to deposit a sum of Rs. 50/- every day starting from 21.3.2005. In his account a total amount of Rs. 10,450/- was deposited.

It is submitted by learned counsel for the petitioner that from the FIR itself it would transpire that the main allegation of instigating the informant is against the accused no. 14 while the petitioner herein is accused no. 4 who is said to be the Chairman, Board of Directors of the aforesaid Cooperative Society Ltd. It is submitted that the petitioner has been falsely implicated in large number of similar matters of which in nearly all matters he has been enlarged on bail by different orders which have been brought on record as Annexure 2 series to the supplementary affidavit. It is submitted that for an occurrence alleged to have taken place between 2005 to 2007 the instant FIR has been lodged 12 years later in the year 2019.

The application for bail is opposed by learned counsel for the State who submits that it was the petitioner who was running the non-banking financial company.

Having heard learned counsel for the parties and taking into consideration that the main allegation being against accused no. 14 in the complaint petition, the petitioner having been granted bail in similar matters as also the delay in lodging



of the FIR, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Saharsa Sadar P.S. Case no. 308 of 2019 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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