

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27888 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

RAJESH SHARAN SHARMA @ RAJESH SARAN SHARMA S/o Sheo
Sharan Sharma R/o village- Nadiyouna, P.S.- Noorsarai, District- Nalanda,
presently residing at Nadiyouna Kothi, P.S.- Laheri, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanket
Mr. Vinay Mistry, Advocates
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 16-06-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 406, 409, 420, 467, 468, 471,
477(A), 201, 120(B) of the Indian Penal Code and Section 65
of I.T. Act.

Informant, Rampravesh Kumar Choudhary, who is one
of the investors of Pincon/Panna Credit and Thrift Multi-State
Co-operative Society Ltd., near Laxmi Petrol Pump, Ranchi and
the branch of said company is situated at Hilsa and Islampur,
has alleged that FIR named accused nos.1 to 11 including the
petitioner convinced the investors to invest their money in

several scheme with the company but the said branch has already been closed and they assured them that their money will be safe in the aforesaid company. It is further alleged that initially though the matured amount has been returned to the investor on time as per the rule but the accused persons have misappropriated / grabbed the money of the investors. It is further alleged that accused no.1, Dr. Diwakar Singh (Director), made promise to return the amount to the informant but the amount in question was not refunded to the informant.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that petitioner is neither the Director nor the agent of the aforesaid company and he was made a member by the company for depositing the amount in various schemes with the company and, as such, identity card was issued by the company in favour of the petitioner and he has nothing to do with the affairs of the company. It is further submitted that the officers of the company asked the people that only such person would be entitled to deposit the amount under the scheme with the company who would be member of the company and thus, the petitioner decided to become a member with a view to deposit the amount with the company and it is needles to say

that there are number of members of the society, who have deposited money with the company under the different schemes. It is further contended that petitioner himself has become a prey of the company as his Term Deposit Certificate amounting to Rs.5,000/- and Rs.60,000/- matured on 27.03.2019 and 15.09.2018 respectively, but the same has not been paid by the company to the petitioner. Petitioner has no criminal antecedent and he is in custody since 08.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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 Laheri P.S. Case No. 46 of 2020 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

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