

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4884 of 2020

Arising Out of PS. Case No.-146 Year-2017 Thana- ARA NAGAR District- Bhojpur

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

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate
	:	Mr. Kanhaiya Pandey, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-11-2021 Heard learned counsel for the petitioner Sri Diwakar assisted by Sri Kanhaiya Pandey and the learned A.P.P for the State, Sri Shantanu Kumar.

The petitioner seeks anticipatory bail in connection with Ara Town P.S. Case No. 146 of 2017 registered under Sections 406,420,120B/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant has alleged that DJN group of company had opened various branches and one branch was also opened near Ara Town High School and it is alleged that the said company was engaged in making members for depositing of money upon compromise of return of the said money with

interest at the rate of 4% to 10%. However, it is alleged that the informant deposited a sum of Rs.10,85,000/- in the account on account of allurement of providing 4% interest. However, after some time the aforesaid company closed his business and fled with the money of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case, the petitioner was the Branch Manager at Ara Office at the aforesaid DJN group Company whereas the owners of the company are different. Further, though the petitioner has been made accused in other cases but the same has also been filed by different depositor like present informant. Further, the Proprietor and Managing Director of the company are also accused in the present case. Hence no prejudice would cause to the petitioner, if the petitioner is granted privilege of anticipatory bail. Learned counsel for the petitioner further submits that against the present petitioner, Ara Town P.S. Case No. 149 of 2017 and Ara Town P.S. Case No. 150 of 2017 alongwith six other cases were also instituted as mentioned in para no.3 but the petitioner was granted privilege of anticipatory bail by order dated 23.01.2020 in Cr. Misc. No. 86032 of 2019 and by order dated 04.01.2021 in Cr. Misc. No. 3991 of 2020 then Ara Town

P.S. Case No. 149 of 2017 and Ara Town P.S. Case No.150 of 2017 are pending.

Considering the facts and circumstances of the case and that the petitioner is Branch Manager and owners of the company are also accused in the present F.I.R. and the petitioner having been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court in the same nature of allegation, the petitioner above-named, in the even of his arrest or surrender before the learned court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees 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. 146 of 2017 subject to the conditions as laid down under Sections 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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