

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17543 of 2020

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

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VIVEK KUMAR SINHA Son of Late Gopal Prasad, Resident of Awadh
Niwas Nun Ka Chauraha, P.S.- Khajekala, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 20748 of 2020

Arising Out of PS. Case No.-383 Year-2018 Thana- ARA NAGAR District- Bhojpur

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VIVEK KUMAR SINHA Son of Late Gopal Prasad, Resident of Awadh
Niwas Nun Ka Chauraha, P.S.- Khajekalan, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 17543 of 2020)

For the Petitioner/s : Mr.Satyam Shivam Sundaram

For the Opposite Party/s : Mr.Sanjay Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 20748 of 2020)

For the Petitioner/s : Mr.Satyam Shivam Sundaram

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

8 24-02-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection



with Ara Nagar P.S. Case No. 149 of 2017 and Ara Nagar P.S. Case No. 383 of 2018 registered for offence punishable under sections 406, 420, 120(B)/34 of the Indian Penal Code.

As per complaint petition, the present petitioner alongwith co-accused persons opened DJN Commodities Group of Company and they misappropriated the hard earned money of the investors by alluring them to get 4% monthly interest on the deposited amount. The description of invested amount of some investors have been mentioned in the complaint petition. It has also been mentioned in the petition that it is a forged and fabricated financial company operating in the entire Bihar and after taking crores and crores rupees of the investors, the accused persons fled away after closing their offices.

The learned counsel for the petitioner has submitted that the petitioner is innocent and two co-accused persons have been granted anticipatory bail and two co-accused persons have been granted regular bail.

The case diary has been received. Paragraphs 9, 10, 11, 12, 13, 14 and 15 of the case diary contain the statement of the witnesses and all these witnesses are unanimously stating that the aforesaid group of companies allured the investors to deposit the money on the assurance of interest of 4% per month



and when the investors deposited their money, the accused persons fled away after closing their offices. The paragraph-3 of the **petition contains criminal history of the present petitioner, which shows that as many as seven cases of similar nature are pending against him.**

As such, in my opinion, the present petitioner does not deserve the privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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