

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21364 of 2022

Arising Out of PS. Case No.-238 Year-2002 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. VIDYA BHUSHAN SRIVASTAVA Son of Paras Nath Prasad @ Paras Nath Prasad Srivastava Resident of Village- Pateji Bahadur, P.S.- Asaon, District- Siwan, at present residing at Kagaji Mohalla, Police Station- Siwan Town, District- Siwan.
 2. Renu Bala W/o Vidya Bhushan Srivastava Resident of Village- Pateji Bahadur, Police Station- Asaon, District- Siwan at present residing at Kagaji Mohalla, Police Station- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Ranjan Son of Surendra Nath Verma Resident of Village- Nai Basti Mahadeva and P.O.- Siwan, P.S.- Siwan, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, APP
For the Complainant/s :	Mr. Ajay Kumar Singh, Advocate
	Mr. Rajesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioners, and learned
counsel for the complainant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 463, 465, 467, 471, 120(B) and 34 of the Indian Penal Code in which the learned trial court took cognizance under Section 406, 420, 467 and 468 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the complainant alleges that Vidya Bhushan Shrivastava was an



agent of J.V.G. Company and Renu Bala was Assistant Development Manager, it is next alleged that the complainant invested an amount of Rs. 1,01,000/-in the aforesaid company and the petitioners prepared forged papers giving assurance to the complainant that all the money would be returned with interest but the complainant was kept in dark and was lastly duped.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the complainant on his own volition had deposited the money in the company and petitioners were agent and Assistant Development Manager of the Company, it is also submitted that even petitioners were not aware that the company would dupe its customer, it is next submitted that persons similarly situated like petitioners had also moved before the Hon'ble Delhi High Court by filing C.P. No. 265 of 1998 and 267 of 1998, as such even the petitioners were aggrieved by the conduct of the company, it is also submitted that as far as allegation of giving forged and fabricated papers with respect to the investment is alleged the same is false and has been alleged only with a view to give serious colour to the case, as the documents were generated by the company. It is also submitted



that though the complainant alleges that he had invested in the company but then company is not made a party in the complaint petition.

Learned APP for the State and the learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioners, but are not able to meet the submission of learned counsel for the petitioners that company is not arrayed as an accused in the complaint petition and that petitioners were employees of the company and not owners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 238 of 2002 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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