

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20072 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- CHAKIA District- East Champaran

VINAY KUMAR SRIVASTAVA ALIAS BINAY KUMAR SINHA SON OF
BRIJNANDAN PRASAD @ BIJAN LAL RESIDENT OF VILLAGE-
SAWANGIYA, P.S - MADHUBAN, DIST- EAST CHAMPARAN AT
PRESENT PROFESSOR COLONY BESIDE CUSTOM BHAVAN P.S-
CHAKIYA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Verma, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406,
467, 468, 471 and 120(B)/34 of the Indian Penal Code and
Section 19 of the Bihar Prohibition of Interest of Depositors
Act, 2013.

Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and the informant
alleges that nine cases have been instituted against the Swarna
India Multi State Credit Cooperative Society Limited, East



Champaran. Further, alleges that the cooperative society by luring the investors got crores of rupees invested by promising good return through its agent. Further, the investors are not getting their maturity amount as detailed in the FIR.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case being the Branch Manager of the non-banking company as disclosed by the apprehended accused. Learned counsel further submits that the alleged transaction which is alleged in the FIR did not take place at a time when petitioner was the Branch Manager of the concerned branch. It is next submitted that petitioner is not evading the law rather would cooperate in the investigation and will present himself as and when required by the investigating officer. It is also submitted that petitioner was only the Branch Manager of one of the Branches of the aforesaid Multi State Credit Cooperative Society Limited, as such, it cannot be alleged that it was the petitioner who was instrumental in getting the money deposited from the investors which they are not able to retrieve.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned court below where the case is pending/successor court in connection with Chakia P.S. Case No. 231 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to the Court that he will present himself as and when required by the investigating officer is not appearing or is not cooperating in the investigation, the learned trial court after giving an opportunity of hearing to the petitioner will pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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