IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72056 of 2021

Arising Out of PS. Case No.-290 Year-2021 Thana- BARHARA KOTHI District- Purnia

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Nawal Kishor Sah, S/O - Sanchu Shah @ Shanichar Sah Resident Of Village- Basudevpur, P.S.- Barhara, District- Purnia.

... ... Petitioner/S

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar- Advocate
For the State	:	Mr. Ashok Kumar- A.P.P.
For the Informant	:	Ms. Nilima Sinha- Advocate
		Mr. Rajiv Ranjan- Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner, learned counsel for the informant, who appears on behalf of Ms. Nilima Sinha and learned APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 420, 406 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 26.09.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner submits that the informant alleges that his relative and several other villagers of nearby village of the informant on the assurance of this petitioner had deposited the money in the company as the petitioner had assured the informant that the deposited amount will be doubled in six years, but after the completion of the said period, the informant and other met the petitioner, but the petitioner did not return the amount to the beneficiary even after lapse of one year on the ground that he does not know anything and as such, it is alleged that he misappropriated Rs.65,000/- from the informant.

The learned counsel for the petitioner submits that it absolutely does not stand to reason that when the bank even takes more than ten years to double the money how come any institution or organization or company will double the money in six years. It is submitted that it is a trap laid by such non-banking financial company for greedy people, as they get trapped on account of such lucrative offers.

It is next submitted that petitioner is not the proprietor of the company, he was merely an agent employed on salary basis and it was part of his duty to convince the investors. It is also submitted that even the petitioner was not knowing that the company one day will dupe its own investors including the petitioner, who had also invested in the company.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but the learned counsel for the informant is not able to meet the submissions made by the learned counsel for the petitioner that as to why the informant invested on an assurance that money will be doubled in six years when admittedly, even the bank do not do that and that the petitioner was an employee and not the proprietor of the company which duped its investors.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and in the nature of allegation, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barhara P. S. Case No.290 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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