

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18046 of 2023**

Arising Out of PS. Case No.-232 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Shiv Kumar @ Shiv Chaudhary S/O Late Harkhu Chaudhary R/O- Sri
Ganesh Villa Apartment, Flat No 102 Basudeo Jhari Apartment, Baily Road,
P.S.- Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

8 11-12-2023 Learned counsel for the petitioner is permitted to remove
the defect(s), as pointed out by the office, if any, within a period of
three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 232C of 2021 dated 11.01.2021
registered for the offence/s punishable u/ss 409 and 420 of the Indian
Penal Code.

4. As per the prosecution case, upon the assurance of the
petitioner and the co-accused persons, Rs. 4,50,000/- was invested as
fix deposit by the complainant in the scheme of Sahara India E-Shine
having its maturity date on 18.08.2020. After maturity, Sahara did not



pay Rs. 11,75,400/- to the complainant.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that the petitioner is only an agent of the said Sahara Company and he has no authority for returning the matured amount. The complainant's grievances would have to be redressed only by the higher authority of the Sahara India Company. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Complaint Case No. 232C of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

