

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71725 of 2022

Arising Out of PS. Case No.-505 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Bikky Kumar @ Bicky Kumar S/O Nawal Singh Resident of Village- Purvi
Malahi Ward No- 2, Barh, P.S.- Barh, District- Patna. Sahara India Agent.
... .. Petitioner

Versus

1. The State of Bihar
2. Sanjay Prasad S/O Late Nand Kishore Prasad Resident of village- Pipal Tal
Pakka Kuan Ward No- 20 Barh Bazar P.S.- Barh District- Patna.
... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 No one appears for the Informant.

Heard learned counsel for the petitioner and Mr. Md.
Aslam Ansari, learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail
in connection with Complaint Case No. 505 (C) of 2021
registered for the offences under Sections 323, 341, 406, 420,
504, 506/34 of the Indian Penal Code. The petitioner has no
criminal antecedent.

As per the prosecution story, the complainant is said
to have cordial relation with the accused persons as they are
agent in Sahara India. The complainant has alleged that he
invested in Sahara India through this petitioner for which he
always used to receive maturity. But after some time, the



payment of maturity has not been received. When he informed this issue to the petitioner, the petitioner abused and insulted him.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is an employee of the Company and the affairs of the Company are not in his hand. It is further submitted that the complainant has not alleged that the money has not been deposited by the petitioner. It is also submitted that the co-accused Raj Kishore Pandey and Satyendra Kumar @ Satyendra Pandit have already been granted bail vide Cr. Misc. No. 72888 of 2022 and Cr. Misc. No. 70474 of 2022 respectively.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is stated that the petitioner is an agent of the Sahara India and as an employee of the Company, he was engaged in connection with money but he had no ultimate control over the affairs of the Company and there is no allegation that this petitioner had not deposited the money, the allegation is that he is not facilitating maturity of the deposit



which is not in his hand, the co-accused Raj Kishore Pandey and Satyendra Kumar @ Satyendra Pandit have already been granted bail vide Cr. Misc. No. 72888 of 2022 and Cr. Misc. No. 70474 of 2022 respectively, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today shall be released on bail in connection with Complaint Case No. 505 (C) of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Rishav Srivastav, learned J.M., 1st Class, Barh, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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