

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21420 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- BHELDI District- Saran

Kis Nath Sah son of Rameshwar Sah Village- Sobhepur Ps- Bheldi Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP.
Mr. Sanjay Kumar Jha, Adv.
Mr. Anant Kumar Bhaskar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 120(B), 147, 148, 323, 384, 506, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant used to sell vegetable on the footpath at Shobhepur Katsha Bazar and both informant and petitioner are neighbours. In 2013, the petitioner and co-accused Rajeev Raman and Sriram Singh, agent of Green Touch Project Company Ltd. told the informant that company was offering attractive interest on fixed deposit and double amount within 6 years. On assurance of the petitioner, the informant started depositing an amount of Rs.



2000/- per month from 18.04.2013. Petitioner collected fixed deposit from 28 persons on account of doubling the amount and in this way, he collected an amount of Rs. 50,000/- in total from the informant and other persons and from those amount, he purchased land property in his village. On 08.01.2023 at about 01:00 pm, when the informant went to his door and asked for his money, the petitioner started scuffling and misbehaving with the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is case and counter case between the parties. The present case has been filed merely with a view to put pressure upon the petitioner for withdrawal of Complaint Case No. 3851/2022, which was filed by the wife of the petitioner. It is further submitted that the recovery proceeding against the said company is going on in SEBI and money of investors is likely to be paid. Several investors have submitted their applications before the Collector, Saran for refund of deposited money from the Company under Banning



of Unregulated Deposit Schemes Act, 2019. The petitioner and his wife had also deposited money in the said Company and they have also filed applications before the Collector, Saran, for refund of their money. It is further submitted that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that there is direct allegation against the petitioner to induce the informant and others to deposit money in the said Company, which was not returned afterwards. It is further submitted that the witnesses have also supported the involvement of this petitioner in the alleged occurrence. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, since from perusal of the FIR, it appears that there is civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bheldi P.S. Case
No. 173 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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