

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41880 of 2024

Arising Out of PS. Case No.-1029 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Md. Kalim Son Of Late Ainul Haque Village- Bandha, P.S.- Bihiya, Distt.-
Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manu Kumar Turha @ Manu Prasad Turha Son Of Ashok Kumar Turha
Village- Turha Toli, Main Road, Buxar, P.S.- Buxar Town, Distt.- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Rakesh Kumar Sharma, Adv.
For the State	:	Mr. Aditya Narayan Singh.1, APP
For the O.P. No. 2	:	Mr. Umesh Kumar Verma, Adv. Mr. Munna Prasad Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-08-2024 Heard learned senior counsel for the petitioner,

learned A.P.P. for the State and learned counsel for the Opposite

Party No. 2.

2. The petitioner apprehends his arrest in connection with

Complaint Case No. 1029(C) of 2016 registered under Sections

504, 406, 420, 384, 467, 468, 471, 472, 120B/149 of the Indian

Penal Code and Section 27 of the Arms Act.

3. As per the complaint case, it is alleged that this

petitioner along with other named accused persons defalcated

the deposited money of the investors.

4. Learned counsel appearing on behalf of the petitioner



submits that petitioner has already resigned from Directorship, and the Managing Director of the company has accepted the same on 25.05.2014 itself. Further submission is that the entire money, as has been alleged in the complaint petition, was collected by complainant and agents of the company, and were deposited to the Managing Director of the company. Petitioner has neither received any single penny nor any money was transferred in the bank account of the petitioner. It is lastly submitted that the complaint petition has been filed in the year 2016, after a lapse of two years. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the Opposite Party No. 2 opposed the prayer for bail and submit that there is specific allegation against the petitioner that he along with other accused persons defalcated the invested money of the investors.

6. Having considered the aforesaid facts and circumstances of the case and the rival submissions advanced on behalf of the parties, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
Judicial Magistrate-I, Court No. 16, Buxar in connection with
Complaint Case No. 1029(C) of 2016, subject to the conditions
as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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