

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80453 of 2023**

Arising Out of PS. Case No.-333 Year-2020 Thana- GARDANIBAG District- Patna

JITENDRA KUMAR SRIVASTAVA Son of Late Surendra Prasad Srivastav  
R/o Mohalla - Shivpuri Chitkohra, P.S. - Gardanibagh, Distt. - Patna  
... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ram Sagar Prasad S/O Late Mukund Gope Village- Brahmpur, Ps.- Beur,  
Dist.- Patna.  
... .. Opposite Party/s

**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Lala Sheshendra Narayan Rais<br>Mr.Shashnak Shekhar Sinha |
| For the State        | : | Mr.Umeshanand Pandit,APP                                     |
| For the OP-2         | : | Mr.Niranjan Parihar                                          |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      19-03-2024                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 406, 34 of the Indian Penal Code.

3. On the persuasion of this petitioner, the informant/O.P.2 invested Rs. 6,24,400/- in 'Dhanolty Developers Limited', but on maturity, the said company refused to pay the matured amount and thus, they cheated the informant and misappropriated the amount.

4. It is submitted on behalf of petitioner that petitioner was staff of the company, whereas the amount in question has been deposited in the account of the said company and as such, petitioner is not liable to refund the amount. Petitioner is merely a collecting agent. Petitioner has got clean antecedent.



5. Learned A.P.P. for the State and learned counsel for opposite party no. 2 opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - XIV, Patna in connection with Gardanibagh P.S. Case No. 333 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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