

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3162 of 2017

Arising Out of PS.Case No. -690 Year- 2015 Thana -DANAPUR District- PATNA

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1. Ritesh Singh @ Ritesh Kumar Singh @ Ritesh Kumar
2. Amitesh Singh @ Amitesh Kumar Singh
Both Sons of Rajendra Prasad Singh, Resident of Mohalla- Maula Bagh,
P.S.- Ara Nawada, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party : Mr. Satya Nand Shukla (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-02-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Danapur
P.S. Case No. 690 of 2015 instituted for the offence under
Sections 406 and 420 of Indian Penal Code.

As per prosecution case the informant booked a
Bolero vehicle in Priyadarshi Motors on payment of Rs.1,00,000/-
in cash and rest amount of Rs.6,01,992/- was paid by him through
demand draft. Thereafter, he asked to deliver the vehicle on
07.02.2015, but the same was not delivered. On 12.04.2015, a
Demand Draft of Rs.6,82,200/- in the name of Rohit Motors, Ara
was given to the informant with the assurance to deliver the



vehicle by Rohit Motors, Ara. On 13.04.2015 informant went to Rohit Automobiles, Ara, who kept the said demand draft and told that after two days vehicle would be delivered. Thereafter, the vehicle was not delivered to him saying that his money was due from Priyadarshi Motors and as such Priyadarshi Motors cheated the informant.

It has been submitted by the petitioner that the amount of Rs.9,00,000/- has been paid by Nikhil Priyadarshi, the owner of the Priyadarshi Motors to the informant as will appear from Annexure-2. The counsel for the petitioner has further pointed out order dated 12.05.2016 passed by ACJM, Danapur in Danapur P.S. Case No. 690 of 2015, from which it would be clear that Rs.9,00,000/- has been given by Nikhil Priyadarshi. Informant received Rs.9,00,000/- from Nikhil Priyadarshi. As such the informant has already received the entire amount as appears from the order dated 12.05.2016. Moreover, these petitioner are said to be Managers-cum-Owners of Rohit Automobiles and as per written report itself, the informant was dealing with Priyadarshi Motors. In the circumstances, prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with



Danapur P.S. Case No. 690 of 2015, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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