

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45209 of 2018

Arising Out of PS.Case No. -852 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Anand Kumar, S/o Shri Rama Krishnan Rajappan,
2. Neeta Anand @ Neeta Menon Anand, W/o Anand Kumar, Both R/o 504,
Pleasant Park, Old Lokhandwala, Ashok Academy School Lane, Andheri
West, P.S.- Varsoba, Mumbai- 400053.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pradeep Kumar Poddar, S/o Late Deo Karandas Poddar, resident of 86,
Anandpuri, P.S.- S.K. Puri, Town & District- Patna- 800001.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal
Mr. Anujit Sinha
For the Opposite Party/s : Mr. Nikhil Kr. Agrawal,
Ms. Aditi Hansaria
Ms. Deepika Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioners as well as the
State.

The petitioners apprehend their arrest in Complaint
Case No. 852(C) of 2017, instituted for the offence punishable
under Section 420 of the Indian Penal Code.

In the written report, it is alleged that the complainant
and his wife gave Rs. 25 lacs through R.T.G.S. to these petitioners
who are Director of the firm “M/s Anand Kumar Productions Pvt.
Ltd. @ M/s. Anand Kumar Productions” as advance. An
agreement was to be made but the petitioners adopted evading



tactics after taking money from the complainant and in spite of repeated requests made by the complainant, the aforesaid advance money was not returned by these petitioners.

Learned counsel for the petitioners has submitted that for recovery of the aforesaid amount Money Suit has already been filed by the complainant. The amount was given for production of the film “Deshi Kattey”. The film was produced but it could not hit and suffered loss. It has further been submitted that money was taken for business purpose. There was no intention of the petitioner to commit cheating.

The learned counsel for informant has submitted that petitioners have admitted that they have received Rs. 25 lacs from the complainant.

This Court after looking into allegation in the complaint petition finds that there is specific allegation against both petitioners, who are Director of the firm “M/s Anand Kumar Production”, of taking Rs. 25 lacs from the complainant for production of film “Deshi Kattey” and they never entered into agreement and also did not return the aforesaid amount.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

The petitioners are directed to surrender before the Court below within four weeks from the date of receipt/production



of a copy of this order and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J.)

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