

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63268 of 2017

Arising Out of PS.Case No. -30258 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sandeep Agrawal @ Sandeep Agarwal, Son of Late Om Prakash Agrawal,
Managing Director of M/S Ashiyanana Hyundai, Rajendara Path Nea CDA
Building, Pirmohani, Police Station Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjan Kumar, Son of Sri Braj Kishore Prasad, Resident of Asthana
House, Block- A, New Area, Kadamkuan, Police Station- Kadamkuan,
District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-01-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Complaint Case No. 30258 of 2014 registered for
the offences punishable under Sections 406 and 418/34 of the
Indian Penal Code.

The allegation made by the complainant in the complaint
case is that the accused persons who are dealers / officials of
Ashiyana Hyundai show room had advertised with regard to
purchase of new car under an exchange bonus scheme. It is
further alleged that the old car of the complainant was taken by the



accused persons and it was promised that in exchange scheme a handsome bonus amount will be paid to the complainant after a short period from the date of purchase of the new car. It is further allegation of the complainant that no bonus whatsoever was given to the complainant.

The learned counsel for the petitioner submits that at best the present case is a case wherein the allegations leveled are of a civil nature and the remedy of the complainant lies either before the appropriate consumer forum or before a court of civil jurisdiction. It is further submitted that while the complainant was given a new car, the credit of the depreciated cost of the old car was also given to the complainant. The learned counsel for the petitioner submits that the petitioner has a clean antecedent and has deep root in the society and there is no chance to tamper with the evidence.

The learned counsel for the informant has vehemently opposed the prayer for grant of anticipatory bail and has submitted that since the matter is pending before the trial court there is no apprehension of any sort of arrest by the petitioner.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a



period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,1st Class, Patna in connection with Complaint Case No. 30258 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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