

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2389 of 2018

Arising Out of PS. Case No.-389 Year-2016 Thana- GANDHIMAIDAN District- Patna

Kumar Shri Vikash, S/o Sri Shyam Pd. Singh, resident of Mohalla- New
Bighrapur Mithapur, P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nivedita Nirvikar

For the Opposite Party/s : Mr. SRI MUSTAQUE ALAM

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection with
Gandhi Maidan P.S. Case No. 389 of 2016 registered under
Sections 406, 420, 424, 467, 468, 120(B) of the Indian Penal
Code.

Informant is the brother of Sudha Khetan in his FIR has
stated that M/s Khetan Auto Syndicate Pvt. Ltd. is a registered
company whose Directors were Sudha Khetan, Ram Avtar
Agrawal and Hargovind Khetan. All are family members but the
behaviour of Sudha Khetan is not cordial with her family and
her father is said to have passed away due to her behaviour. All
were shareholders of the company out of which Savitri Khetan
has the highest shares. Sudha Khetan alongwith Ajay Kumar,



Director of Nutan Buildcon Pvt. Ltd. Sold the flat to Vikas Kumar for Rs. 20,00,000/- and she did not give the received amount to the company instead of used it to fulfill her own needs. She portrayed that she had the authority to sell the property from meeting of the Board of Directors of the company whereas, she had no legal authority to sell the property under sale deed in favour of any person. It has further stated that Sudha Khetan had misused her powers and even if she was one of the directors, had no power to sell the Company's property without approval of the board.

Learned counsel for the petitioner submitted that petitioner has committed no offence and he has been falsely implicated in this case at the instance of the Rohit Khetan who was inimical to his sister Sudha Khetan. It has been further submitted that his name has appeared only in the context that he handed Rs. 20,00,000/- in lieu of the property purchased and petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Patna, in connection with Gandhi Maidan P.S. Case No. 389 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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