

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16195 of 2019

Arising Out of PS. Case No.-13 Year-2017 Thana- SHEOHAR District- Sheohar *

1. V.R Srinivasan @ Srinivasan, Son of V.G. Rangathan House No. 782, Sri Hari Nivas, 15th Ward, Opp. Venkanteshwar Temple, Amaravathi, P.S- Hospte Distt-Bellary, State- Karnataka, Presently the Co- Ordinator of R.C.M. Infrastructure Ltd., 8-2-622/5/A2 Indira Chamber, 2nd Floor, Avenue - 4, Road No. 10, Banjara Hills, Hyderabad.
2. K.V.Ram Babu @ Sri Ram Babu, Son of Venkteswara Rao, Resident of Banjara Hills, P.S- Banjara Hills, Distt-Hyderabad At Present Director of R.C.M. Inrastructure Ltd. 8-2-622/5/A2 Indira Chamber, 2nd Floor, Avenue -4, Road No. 10, Banjara Hills, Hyderabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-03-2019 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered



for the offences punishable under Sections 341, 384, 387, 506 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case is as per the written report of Prince Gupta submitted to the S.H.O., Sheohar P.S. is to the effect that the informant being the Manager in R.K. Builders and Colonizers, Jhasi entered into an agreement with R.C.M. Infrastructure Limited, Hyderabad for construction of N.H.-104, Sheohar-Sitamarhi Road. It is further alleged that a part construction was being made and on 20.12.2016 at 01.00 P.M., when the informant started filling up earth work on the construction site, 5-7 unknown persons along with the petitioners, came armed with lethal weapon and the petitioners came near the informant and asked him why the informant and his Director did not change the agreement and also gave them life threat, leading to registration of FIR against the petitioners and 5-7 unknown persons.

It is submitted by learned counsel for the petitioner that petitioner no.1 is the Co-ordinator and petitioner no.2 is the Director of R.C.M. Infrastructure Limited, which was awarded the construction work of N.H.-140, Sheohar-Sitamarhi Road. It is further submitted that the petitioner's company entered into



an agreement with the informant's company for construction of the said road, but since the informant's company did not conduct the said work as per the specifications hence, the agreement was cancelled and in retaliation to the cancellation of the said agreement, the present case has been levelled against the petitioners. It is further submitted that even assuming the accusation to be true, no offence under Sections 384 and 387 of the I.P.C. is made out against the petitioners. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners and petitioners are named in the FIR.

Considering the accusation arising out of contractual nature of dispute between the parties, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **C.J.M., Sheohar** in connection



with **Sheohar P.S. Case No.13 of 2017**, subject to the
conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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