

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77419 of 2018**

Arising Out of PS. Case No.-335 Year-2017 Thana- DEHRI TOWN District- Rohtas

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Aditya @ Aditya Arya S/o Vijay Kumar Tiwari, R/o Vill.- Vishunpur, P.S.-
Garhwa Sadar, District- Garhwa, Jharkhand.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dilip Sharma, R/o Dehri-on-sone, New Diliyan, Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 12-04-2019 This is an application for grant of anticipatory bail in connection with Dehri (T) P.S. Case No. 335 of 2017, disclosing offences under Sections 420, 406 of the Indian Penal Code and later on added Sections 120(B), 467, 471, 472 and 468 of the Indian Penal Code.

Allegation against the petitioner is that by showing him a staff of L & T Mustsubhushi Company, he contacted the informant and desire his expression that the company wants to purchase goods from the shop of the informant and thereafter given a bank guarantee of Rs.25,00,000/- and sent e-mail in his bank i.e. Punjab National Bank, but the Branch Manager has denied the business with H.S.B.C. Then the informant sent the goods on the basis of purchase order and thereafter the company



informed through the e-mail that cheques were prepared, but the same has not been received by the informant. Thereafter, the informant made pressure on senior officers, then they have transferred Rs.1,80,000/- on 19.08.2016 and Rs.2,24,000/- on 28.03.2017 through N.E.F.T. in the account of the company namely Maa Shanti Construction & Supplier and thereafter the informant came to know that the petitioner is not a staff of L & T Company, he is himself a Contractor. The petitioner has purchased goods from the informant and not paid the money and cheated him.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and furthermore a money suit has also been filed for realization of the dues and the matter is purely a civil nature. It has also been submitted that he has already paid Rs.11,00,000/-.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner on the ground that the process under Section 82 of Cr.P.C. has also been issued.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let petitioner surrender before the court below and make prayer for regular



bail, which shall be considered by the learned court below on the basis of the fact that money suit is also pending with respect to the same allegation and also considering the other materials available on record, if possible, to be disposed of on the same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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