

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20268 of 2020

Arising Out of PS. Case No.-551 Year-2018 Thana- SUPAUL District- Supaul

VISHWAJEET KUMAR, Son of Shambhu Nath Singh @ Shambhunath Singh, aged about 32 years, Male, R/O- Majawa, P.S.- Farbisganj, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	M/S. Manoj Kumr and Arvind Kumar Pradhan, Advocates.
For the State	:	Mr. Nityanand Tiwari, A.P.P.
For the Informant	:	M/S. Pranav Kumar and Vijay Bardhan Pandey, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 22-02-2021 Heard learned counsels for the petitioner,
informant/complainant and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 420 and 406 of the I.P.C.

The prosecution story, in brief, is that the informant/complainant runs a business in Triveniganj Bazar and in that event, he used to regular visits in Supaul, Saharsa, Araria and Madhepura Districts. During this, he met with Bishwajeet Kumar (petitioner) in Supaul Bazar, who told him that he also belongs to the Araria District and his father lives in Chas (Bokaro) and is a government servant in P.W.D, Department having big approach and gave Mobile numbers of himself,



father and mother saying that they have a Firm, namely, 'Singh Traders' and the petitioner is a State Co-ordinator of 'Swastik Telecom Company' having its Head Office in Mohali, which works of authorized 'National Health Insurance Scheme' of the Government of India and the petitioner has to appoint authorized Agent of all the districts of the State of Bihar, upon which, the complainant believed due to self medicine business and started talking on given Mobile numbers. It is further stated that the complainant was made authorized Agent on 10.01.2015 for six months for the Madhepura District in the house of witness Madan Chaudhary who also signed on the said agreement and the informant/complainant gave a Cheque No. 020120 dated 13.02.2015 of Rs. 4,25,000/- of Bank of India to Vishwajeet Kumar (petitioner) and his father Shambhu Nath Singh which was drawn by them on 16.02.2015, thereafter, the informant/complainant repeatedly asked to provide authorization documents for working which was avoided, on talking, they said that they are outside of the State, then the informant/complainant got apprehension and went on the village address then he came to know that they cheated Crores from the others like it, after that he sent legal notice to them and on 02.10.2016 made contact going in their village and asked to



return his amount then, the accused adamant to abuse saying that they will return his money he can do whatever the accused want to do.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There was money transaction in respect of business between the parties. The matter relates to civil dispute. No wrongful gain has been made on the part of the petitioner. The present prosecution has come on the basis of complaint case. Subsequently, the present prosecution has been initiated on the basis of complaint and thereafter an F.I.R. was lodged under Section 156(3) of Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the



learned C.J.M., Supaul, in connection with Suapul P.S. Case No.
551/18, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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