

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11386 of 2022**

Arising Out of PS. Case No.-933 Year-2019 Thana- ARA NAWADA District- Bhojpur

VISHWAS SRIVASTAVA Son of Sri Vijay Kumar Sinha Resident of Village-
and P.O. - Banahi, P.S. Shahpur, District - Bhojpur. At present Address- Pakdi
near Girjamod, P.S. Ara Nawada, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Baxi S.R.P.Sinha, Sr. Adv.

Mr. Brajesh Prasad Gupta

For the Opposite Party/s : Mr. Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 11-08-2022

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420, 467, 468, 471 of the Indian Penal Code.

The prosecution case is that this petitioner demanded Rs. 12,00,000/- from the informant in the name of providing dealership of E-Rickshaw and has taken Rs. 5,00,000/- from the complainant/informant by cheating for the same.

It is submitted on behalf of petitioner that the dispute arises out of financial transaction and purely civil in nature. As a matter of fact, the complainant / informant has only paid Rs. 5,00,000/-, as security money deposit, to the petitioner and on contrary, he handed over seven E-Rickshaw worth Rs. 7,29,232/- to the complainant / informant. In support of the



same, he has also annexed certain cash receipts, vide Annexure 3, which suggests that petitioner has not cheated the complainant/ informant, rather the informant cheated the petitioner. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of dispute and the fact that petitioner has got clean antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur, Ara in connection with Ara Nawada P.S. Case No. 933 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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