

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14202 of 2022

Arising Out of PS. Case No.-549 Year-2019 Thana- RUPASPUR District- Patna

Avinash Gopal Gautam Son Of Sh. Gopal Pandey R/O Village- Amathu, Post-
Durgadih, Amathu, Durgadi, Rohtas, Vikramganj, Bihar-802212

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420 and 406/34 of the Indian Penal Code.

As per allegation in the FIR, the petitioner fraudulently cheated the informant's money pertaining to Rs.5,000,00/- (five lacs) on the pretext of doing business with the informant. Later on the informant was kicked out from the said business and he was given his money back amounting to Rs. 2,32,000/- in stead of Rs.5,000,00/-.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and the instant case is civil in nature. He further submits that the complainant and petitioner started partnership firm by mutual consent in the name of Stag Pharmaceuticals Private Limited having registered office at Kanpur since date of inception, i.e.,



on 23rd June, 2015, both were partners of the said firm. It is further submitted that TIN number of the complainant and petitioner are 07204050 and 07204020 respectively. He further submits that petitioner himself informed the complainant through mail and phone to renew the Bank Guarantee to Trycon Company otherwise, it will expire but the complainant took it casually and ultimately bank guarantee expired. Petitioner has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Danapur at Patna in connection with Rupaspur P.S. Case No. 549 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

U		T	
---	--	---	--

