

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52246 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- MAHESI District- East Champaran

1. NARESH RAI Son of Late Bishun Rai Resident of Village- Kothiya Hariram, P.S.- Mehsi, District - East Champaran.
2. Vinod Rai Son of Late Bishun Rai Resident of Village - Kothiya Hariram, P.S.- Mehsi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 05-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468, 384, 323 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the complainant alleges that the petitioners on the pretext that his master the owner of the Bolero Pick-up vehicle intends to sell his vehicle, duped the complainant of Rs.2,65,000/- which the complainant had given to the petitioners for purchasing the vehicle after selling his land but after receiving the money, the petitioners cheated the complainant as the vehicle was not sold



to him and even threatened when the complainant demanded his money.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegations are general and omnibus in nature. It is next submitted that there is absolutely nothing in the FIR to even remotely suggest that the complainant had sold his land for giving the said amount to the petitioners. It is further submitted that petitioners and the complainant were working for the owner of the Bolero Pick-up vehicle in his shop, as such, it cannot be said that the complainant was not aware that the owner of the Bolero Pick-up vehicle did not intend to sell his vehicle.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the nature of allegation as alleged, the petitioners above-named, in the event of their 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)



each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahesi P.S. Case No. 266 of 2019 arising out of Complaint Case No. 1814 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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