

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43673 of 2022

Arising Out of PS. Case No.-152 Year-2018 Thana- INDUSTRIAL AREA District- Vaishali

SHASHI SHANKAR CHAUDHARY S/o- Late Vijay Choudhary @ Late
Vijay Prasad Chaudhary R/o village - Pansani, P.s.- Aasarganj, District-
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that accused persons were running a business of providing flats, residential buildings etc. and were having an office at Hajipur in the name of Armosia Buildcom Pvt. Ltd. (Apna Sansar), it is next alleged that informant had booked a flat for an amount of Rs. 16,51,000/- for which he had given an amount of Rs. 8,26,000/- for which he received proper receipt,



thereafter he gave Rs. 5 lakh in cash for which company has not given any receipt and thus the accused persons in the manner alleged cheated the informant and when he demanded his money back, accused persons abused him and threatened him.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is also submitted that petitioner is not the owner of the company, rather, was an employee of the company, it is next submitted that all payments have been made to the company's account through cash or demand draft. It is next submitted that similarly situated co-accused Rakesh Kumar Tiwary has been granted anticipatory bail by a learned Co-ordinate Bench by order dated 09.05.2022 in Cr. Misc. No. 42308 of 2021.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Industrial Area
P.S. Case No. 152 of 2018 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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