

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66772 of 2021

Arising Out of PS. Case No.-475 Year-2021 Thana- SUPAUL District- Supaul

Suraj Kumar S/o Binod Chaudhary @ Vinod Chaudhary Resident of Supaul
Ward No. 12, P.S. and District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-05-2022 Heard counsel for the parties.

The petitioner is in custody in connection with Supaul
P.S. Case No. 475 of 2021 registered under section 392 of the
Indian Penal Code.

Allegation against this petitioner is that he booked a
four wheeler from Ola Company on 27.7.2021 and the agreed
amount was 27715/-. The informant who owns a Hyundai
Accent Car was assigned by the Ola to take this accused person
from Mahipal (Delhi) to Supaul (Bihar). They started their
journey on 5.7.2021 in the night and reached Supaul on
7.7.2021 in the morning. It has been stated in the FIR that the
petitioner herein gave him Rs. 4000/- for the petrol and Toll
plaza expenses. However, when he demanded the rest of the
amount, this petitioner asked him to accompany his associate



Sarfraj @ Chhotu who will take him to Sonu for the rest of the amount. The further allegation is that on way, two persons on a motorcycle intercepted and one of them told him that he is Sonu from Mahindra Finance Company and has come to seize the vehicle as he has not paid the installment of the car. The informant in desperation sent his live location from his mobile to this petitioner so that he could help him. Subsequently, Sonu snatched his mobile and started driving his car and at a lonely place he was thrown out of the car and was made to sit on Chotu's motorcycle Suraj later joined him and complained that the car is fitted with GPS. He further threatened to kill him. The informant however managed to get off the motorcycle and with the help of locals returned to his hotel. He thus lodged this FIR and the police arrested the petitioner whereafter he is in jail since 9.7.2021.

The counsel for the petitioner submits that he is innocent and has falsely been implicated. He further submits that the co-accused Sarfraj @ Chhotu has since been granted bail by a coordinate bench of this Court.

This Court has gone through the F.I.R. The entire case revolves around the petitioner herein, the person who booked the car at Delhi and came along with the informant to Supaul



and on demand, failed to pay the amount, asked him to go with Chhotu to meet Sonu and in the process facilitated snatching of the car. Even when the informant (before his mobile was snatched) sent his live location to this petitioner who failed to extend any help to him. It is further alleged in the FIR that subsequently he came and threatened that he will kill the informant. Thus this petitioner can in no way be equated with Sarfraj @ Chhotu who has since been granted bail.

There is grave allegation against this petitioner of not only committing the crime but having breached the trust reposed by the informant as also the Ola company by bringing the informant from Delhi to Supaul but instead of paying the rent snatched the car. He later also threatened to kill him and in the process gave bad image of the State.

This Court considering all the aforesaid facts is not inclined to grant any relief to the petitioner and the bail application preferred by him is hereby rejected.

(Rajiv Roy, J)

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