

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12932 of 2023

Arising Out of PS. Case No.-467 Year-2021 Thana- PATNA COMPLAINT CASE District- Patna

GAURAV KUMAR (GAURAV) @ GAURAV KUMAR S/o Arvind Kumar
Mathur Resident of House No. B/04 , Sadhanapuri, Gardanibagh, P.S.-
Gardanibagh, Distt- Patna. Petitioner/s

Versus

1. The State of Bihar
2. Abhineet Raj Son Of Shiv Prasad Singh Permanent Address- Ramlal Bhawan, Ramjaypal Nagar, Road No.09, Gola Road, Danapur, P.S.- Danapur, District- Patna At Present Address C/O Shri S.K. Ranjan, House No.81, C.D.A. Colony, North Shashtrinagar, P.S.- Shashtrinagar, District- Patna

... .. Opposite Parties.

Appearance :

For the Petitioner : Mr. Sunil Srivastava
For the State : Mr. Mithlesh Kumar Khare
For O.P. No.2 : Mr. Vasant Vikas

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner, learned
counsel for the O.P. No.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 406, 323, 324, 467, 468, 120B and 506 of the Indian Penal Code.

The allegation against the petitioner is that he taken Rs.19,53,909/- from the complainant to flourish his business with an assurance to return it after some time but now he refused to return the same.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. As a matter of fact,



the entire story turns around the game of the share market where the complainant was an investor and the present petitioner is a learner in the market. The complainant wanted to earn more and more money from the share market and so he asked the petitioner to buy some shares which might pay him high and maximum profit. The buy and sale was performed on the order of the complainant who was in haste to receive the loss in intraday trading. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that the dispute between the parties is of business transaction/money transaction, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Complaint Case No. 467C of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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