

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12198 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

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ABHISHEK KUMAR S/O SANJAY YADAV R/v- Gandhi Nagar,
Aurangabad, P.S.- Aurangabad Town, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 420, 406,
506/34 of the Indian Penal Code.

As per prosecution case, the informant and the
accused petitioner as well as his uncle were agreed to do
business for which the informant paid Rs. 9,02,000/- into the
account of the petitioner and his uncle by transferring the same.
But thereafter, they did not start the business and when the
informant demanded his money, the same was denied by the
petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide para 6 & 11 of the petition that the petitioner has not cheated to the informant. In fact, the petitioner and one Arjun Kumar were business partner and aforesaid money was given to the petitioner by Arjun Kumar through Account No. of this informant to purchase crypt currency but business of purchasing the crypt currency flopped and under this circumstances money was not given or returned by the company who has received the money. The petitioner, informant and Arjun Kumar were partners of a game of Crypts currency and there are no dues against the petitioner and if there is any dues of the informant, she should file civil case because nature of the allegation is a civil. It is further submitted that the petitioner is languishing in judicial custody since 10.5.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



released on bail in connection with Aurangabad P.S. Case No. 198 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad.

(Sunil Kumar Panwar, J)

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