

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26429 of 2023

Arising Out of PS. Case No.-435 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Manoj Kumar Thakur Son Of Nand Kishore Thakur R/O Village- Raima,
P.S.- Madhubani, District- Madhubani, Proprietor Of Rukmani Automotive
Services Situated At N.H.-30 Bypass Road, Ranipur, Paojaba, P.S.- Bypass
Thana- Patna, 800008, Official Technical Staff Of Rukmani Group Of
Automobile India Pvt. Limited At Kumhrar Near Kumhrar Park, Kankarbagh
Main Road, Patna 800020

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harish Shekhar Son Of Harendra Kumar R/O 50/B Anand Path, Kanti-
Factory Road, Near P.N.B. Bank, P.S.- Kankarbagh, District- Patna, Pin-
800026

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 420 of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the complainant
alleges that he had purchased a vehicle, *namely*, Jeep Compass
from the showroom of the petitioner, but RC was not made
available, thereafter on account of flood in 2019, the vehicle got



submerged in water and the insurance company is not willing to give insurance of the vehicle, as the vehicle is not registered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the complainant had purchased the vehicle from the showroom of Rukmani Group Automobiles India Private Limited situated at Kumhrar, it is next submitted that petitioner is not the owner or director of the aforesaid showroom rather is a technical staff. Learned counsel further submits that when the vehicle of the complainant got submerged in flood water, he had contacted the showroom and the petitioner had assured him that his vehicle would be serviced and repaired and accordingly the vehicle was brought to the service centre where the same was repaired and is in running condition, but the complainant till date has not returned to take back his vehicle nor has paid the repairing charges. Learned counsel further submits that even presuming what has been alleged is true without admitting then it was not the petitioner who was responsible for getting the RC of the vehicle done as petitioner was merely a technical staff in the aforesaid showroom which now is under liquidation and the HDFC Bank has filed a recovery suit bearing O.A. No. 385 of 2020. Learned counsel



further submits that from perusal of Annexure-4 i.e. O.A. No. 385 of 2020 filed by HDFC Bank against Rukmani Group Automobiles India Private Limited it would manifest that in the array of defendants, the name of the petitioner is not there which amply demonstrates that the petitioner has no concern with the automobile as a director as such petitioner had no stake in the Rukmani Group Automobiles India Private Limited.

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

6. 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 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) 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 P.S. Case No. 435(c) of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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