

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22450 of 2023

Arising Out of PS. Case No.-523 Year-2022 Thana- BHOORE District- Gopalganj

1. HARIKESH KUMAR SINGH @ HARKESH KUMAR SINGH @ HARKESH SINGH @ HARKESH SON OF MANGAL BHAGAT RESIDENT OF VILLAGE - MOTIPUR ERAJI, P.S. - BHOOREY, DISTT. - GOPALGANJ
2. NAND KISHORE SINGH SON OF MANGAL BHAGAT RESIDENT OF VILLAGE - MOTIPUR ERAJI, P.S. - BHOOREY, DISTT. - GOPALGANJ
3. RAJ KISHORE BHAGAT @ RAJ KISHORE SON OF MANGAL BHAGAT RESIDENT OF VILLAGE - MOTIPUR ERAJI, P.S. - BHOOREY, DISTT. - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 341, 323, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of two cases and petitioner nos. 2 and 3 are persons with clean antecedent.

4. As per allegation in the FIR, it is alleged that petitioner is the CMD of Welldone Group of company and had



approached the informant with a scheme which promises a motorcycle against a particular deposit collection, under the scheme, the informant claims to have deposited Rs. 10,56,000/- and in response thereto the informant got only 13 motorcycles and when he demanded for further benefits, it has been alleged that he was assaulted.

5. Learned counsel for the petitioners submits from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil to which a criminal colour has been given, it is next submitted that what is not disputed rather stands admitted is that 13 motorcycles were given to the informant by the petitioners in lieu of the money received under a scheme. It is further submitted that if the informant is aggrieved by the action of the petitioners in not fulfilling the further benefits for which he was entitled, he has remedies available in law.

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

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Bhole
P.S. Case No. 523 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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