

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49255 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- PAHARPUR District- East Champaran

1. AMIT KUMAR SHUKLA SON OF DINESH CHANDRA SHUKLA R/O VILLAGE- KHAJURIYA, P.S.- MALAHI, DISTRICT- EAST CHAMPARAN
2. TUSHAR ANAND SON OF LAXUMAN UPADHYAY R/O- BAJRANGBALI COLONY, FULWARI, NEAR SHIV MANDIR, P.S.- GARDANIBAGH, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 17-07-2023 Heard learned counsel for the parties.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 420, 406, 506/34 of the Indian Penal Code.

3. As per the prosecution case, these petitioners cheated the informant and grabbed Rs. 39,50,000/- of the informant.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that as a matter of fact it is a case of business rivalry between two partners, namely, Prasad Agro Industries and Archana Construction. The



informant was employee of Late Yogendra Prasad and he illegally occupied the factory and wants to sell movable and immovable property of the factory and on protest made by the petitioners the informant has lodged the present case with false and concocted story. The entire money invested by the informant has already returned by the petitioners and as such no criminal case is made out against them. Petitioners have got clean antecedent.

5. Learned counsel appearing for the informant opposed the prayer for anticipatory bail and submitted that these petitioners committed criminal breach of trust and cheated the informant and grabbed Rs. 39,50,000/- of the informant.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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