

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49634 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- BUXAR District- Buxar

SUNIL KUNWAR @ SUNIL KUMAR S/o Barmeshwar Kunwar R/o Village-
Rajpur Benilal Ke Dera, P.O.- Rajpur, P.S.- Simri, District- Buxar Pincode-
802155 at present R/o- Chotki Saripur, P.S.- Buxar Town, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. Mritunjay Rai S/o Late Shrinath Rai R/o Village- Haans Nagar, P.O. and
P.S.- Haldi, District- Ballia, Uttar Pradesh, Pin-277402.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

The petitioner apprehends his arrest in connection
with Buxar (Town) P.S. Case No.217 of 2022 instituted under
Sections 406,420 of the IPC.

As per the allegation in the FIR, the informant kept on
providing coal to him but he in turn failed to pay the amount.
Earlier also the same situation had happened when he had
supplied coal but on the assurance of the mediators he, once
again provided coal but finally a sum of Rs.20,70,510/- was due
against him which he failed to pay and when he approached the



petitioner he replied in negative so far as the payment part is concerned. Left with no option, the present case.

Learned counsel for the petitioner submits that according to him only Rs.65,444/- is due which he is ready to pay.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that there is huge gap between Rs.20,70,510/- as claimed by the informant and Rs.65,444/- which the petitioner claimed is pending.

Be that as it may, this court is not here to go through the mathematics. The facts remains that the informant has alleged payment of Rs.20,70,510/- which the petitioner failed to pay and thus he breached the trust that was reposed by the informant on him when he supplied cold to him.

In the aforesaid background, no relief can be granted to him and the petition stands rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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