

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58982 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- PARAIYA District- Gaya

RAJESH SAW Son of Rajendra Saw Resident of Village - Pariya Bazar, P.S.-
Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP.

Mr. Anjani Parashar Arun, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 406, 34 of the Indian Penal Code.

Allegedly, in the year 2021, twenty two agriculturists of village Bagahi sold their paddy crops and wheat crops to the petitioner but the petitioner did not pay the price of food grains to the farmers.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The firm of the petitioner is registered with GST and obtained GST number. It



is further submitted that the petitioner has not done any business with the firm M/s Rajesh Galla Bhandar in the year 2021. Earlier petitioner was carrying on business and entire amount has already been paid to the agriculturist and when the business was failed due to COVID-19 pandemic, the petitioner closed the business. Petitioner has no concern with the business of co-accused Piyush Ranjan after the firm Rajesh Galla Bhandar was closed due to pandemic. It is further submitted that similarly situated co-accused have been granted anticipatory bail by the co-ordinate Bench of this Court in Cr.Misc.No. 11532 of 2022 and Cr.Misc.No. 22727 of 2022 vide order dated 03.08.2022 and 13.09.2022, respectively. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as the learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is money transaction dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Paraiya Bazar P.S. Case No. 203 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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