

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8049 of 2024**

Arising Out of PS. Case No.-129 Year-2021 Thana- AURANGABAD TOWN District-  
Aurangabad

=====

Ashutosh Kumar Sinha @Ashutosh Kumar SON OF Upendra Kumar Sinha  
Village- Kashipur, P S. -Rajapakar, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

|                      |   |                             |
|----------------------|---|-----------------------------|
| For the Petitioner/s | : | Ms. Nirmala Singh, Advocate |
| For the State        | : | Mr. Zainul Abedin, APP      |
| For the Informant    | : | Mr. Kumar Praveen, Advocate |

=====

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

5      12-07-2024                      Heard Ms. Nirmala Singh, learned Counsel for the  
  
petitioner, Mr. Kumar Praveen, learned Counsel for the  
  
Informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection  
with Aurangabad Town P.S. Case No. 129 of 2021 for the  
offence registered under sections 406, 420 and 34 of the Indian  
Penal Code lodged on 05.04.2021 by the informant, Rajesh  
Kumar Singh.

3. As per the prosecution story, the informant alleged  
that he met the accused persons and Pankaj Kumar Sinha/Niraj  
Kumar Sinha introduced him to the petitioner herein and then  
they went to Hajipur where they met Ambarish Singh and  
accordingly, paid Rs. 27,60,000/- for the purchase of machines



as incorporated in the F.I.R. However, once the amount was transferred neither the machine was provided nor payment made. When the demand was made, the accused persons further threatened of dire consequences which followed the F.I.R.

4. In this case, earlier case diary was called for which has come and learned APP echoes the allegation made in the F.I.R., charge sheet already stands submitted and in that background, he opposes the prayer.

5. Taking into account the allegation that has come against the accused persons including the petitioner who with full intention of cheating took the informant to Hajipur and made him to pay Rs. 27,60,000/- which despite request is not being returned.

6. This Court does not deem it fit and proper to extend him privilege of anticipatory bail, the same is accordingly rejected.

**(Rajiv Roy, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

