

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19821 of 2024

Arising Out of PS. Case No.-534 Year-2023 Thana- RAXAUL District- East Champaran

1.

Ravibhushan Pandey @ Ravi Bhushan Pandey Son Of Arun Kumar Pandey Resident Of Village - Basantpur Bakhari, P.S. - Sakra, District - Muzaffarpur
2.

Rupesh Ram @ Rupesh Kumar Son Of Rajender Ram Resident Of Mahana Gani, P.S. - Mufassil Bettiah, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shashank Chandra, Adv.
For the Opposite Party/s :	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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02-04-2024

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, 120(B), 506 and 34 of the I.P.C.

3. As per the prosecution case, it is alleged that on 01.11.2022, the informant purchased one electric heater from Aditya Vision Showroom and thereafter, he was informed by the Aditya Vision Showroom that he has been selected as winner of motorcar and he was called to branch office. The informant went to branch office of Aditya Vision at Raxaul on 31.12.2022, where he was asked to say something and whole proceeding was video-graphed. Later-on, the then Branch Manager of Aditya Vision, Prem Kumar and Assistant Branch Manager, Rupesh

Kumar said to him to deposit Rs. 62,000/- as margin money on 02.01.2023 and to come with documents, Aadhar Card, passbook, etc. The informant further alleged that he lost his documents related to purchased of electric heater in due course of his journey and he filed *sanha* in Ramgarhwa Police Station. Thereafter, the informant visited to the branch office and convinced the missing of documents, on being satisfied the Authority of branch received Rs. 62,000/- from the informant but did not issue any receipt and said that same will be issued after confirmation by the Head Office of Aditya Vision. However, subsequently the accused persons denied to deliver the motorcar to the informant and refused to handover the refund.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and they have falsely been implicated in this case with some ulterior motive. Aditya Vision Limited is a very reputed company which has been operating in the State of Bihar since past more than 25 years and is engaged in the retail business of selling electronic goods and products. The petitioner no. 1 is Regional Manager of Aditya Vision Limited and at present posted at Muzaffarpur and petitioner no. 2 is Assistant Store Manager of Aditya Vision Limited at present posted at Raxaul Branch. As a matter of fact,

the informant could not receive the award of lucky draw, as he has not produced any documents including the TDS amount within the stipulated period of time and no chit of paper has been filed in support of the allegations that he deposited Rs. 62,000/- to the petitioners and only with a view to harass, this false and concocted case has been lodged against these petitioners. Petitioners claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances and clean antecedent of the petitioners, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, East Champaran, Motihari in connection with Raxaul P.S. Case No. 534 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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