

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35413 of 2024

Arising Out of PS. Case No.-135 Year-2020 Thana- ARARIA District- Araria

Prashant Kumar Singh Son Of Krishnadev Singh @ Krishnadevi Singh
Village- Shivpuri Ward No. 09, Behind Bsnl Tower, Ps- Araria, Dist- Araria
... .. Petitioner

Versus

1. The State of Bihar
2. Nandlal Choudhry S/o- Late Kailu Choudhry R/o Village Kasimpur PO- Ghordaur, at present residing at Ranginia PS- Simri Bakhtiyarpur, Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Rajiv Nayan, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, A.P.P.
Mr. SN Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-09-2024 Heard learned counsel for the petitioner, the State and
opposite party no.2 .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406/420 of the Indian
Penal Code.

3. As per the prosecution case, the informant was in
need of assistant for his petrol pump godown, so he appointed
the petitioner. With passage of time, petitioner became well
wisher of informant's family. Informant in trust started sending
money to the petitioner for construction work in Delhi and
Patna. During transaction, Rs. 15 lacs was given to the
petitioner and Rs.2 lacs was given to co-accused Suraj Sharma.
It is alleged that the petitioner thus cheated Rs.17 lacs from the



informant.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner was the assistant of the informant and he took money for the informant for going to Patna and Delhi for work of the informant. The same does not come within section 406 and 420 of the IPC. He submits that the matter is out and out a civil dispute. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the entire money had been transferred in the bank account of the petitioner which has come during investigation as mentioned in paragraph 68 of the case diary which shows that the petitioner has misappropriated huge amount of Rs.17 lacs of the informant.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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