

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43257 of 2024

Arising Out of PS. Case No.-414 Year-2023 Thana- PATLIPUTRA District- Patna

Kumar Prince Son Of Virchandra Verma , Director Kumar And Vir Sky
Builders Pvt. Ltd. Village- Manoharpur Kachhuara, Near Hanuman Mandir,
Nayachk, Ps- Ram Krishna Nagar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surya Vijay Singh Son Of Late Ramakant Singh Village- House No. 64
Anugrah Narain Path, East Alpana Market, Patliputra, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar, Adv.
For the Opposite Party/s : Mr. Uday Chand Prasad, APP
Mr. Harsh Anuj, Adv.
Mr. Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Patliputra P.S. Case No. 414 of 2023 registered under Sections
379, 406, 407, 417, 420 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that petitioner
hired the backhoe loader cat 424 (4 W.D.) from complainant for
four years, and as per agreement, petitioner was obliged to make
payment of Rs. 1,00,000/- per month to complainant. It is
alleged that after payment of few months petitioner refused to



pay the rent of the said equipment.

4. Learned counsel appearing on behalf of the petitioner submits that from bare perusal of the complaint case, it is apparent that the dispute between the parties is with respect to breach of agreement, for which the complainant has got alternative remedies. It is further submitted that none of the acts allegedly committed by this petitioner gave rise to any criminal liability. Only with a view to settle the civil dispute, this false case has been lodged by giving a cloak of criminal offence.

5. However, learned A.P.P. for the State and learned counsel for the opposite party No. 2/complainant opposed the prayer for bail by contending that despite having an agreement petitioner has not paid the rent and also disappeared the said equipment.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-X, Patna in connection with Patliputra P.S. Case No. 414 of 2023, subject to the conditions as laid down under



Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

