

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43335 of 2024

Arising Out of PS. Case No.-1082 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

-
1. Rajesh Kumar Son of Shri Upendra Narayan Rai R/O Roy Bhawan, Raja Tola Lane, Adampur, P.S.- Jogsar, Dist.- Bhagalpur
 2. Aniket Kumar @ Aniket Anand Son of Mr. Rajesh Kumar R/O Roy Bhawan, Raja Tola Lane, Adampur, P.S.- Jogsar, Dist.- Bhagalpur
 3. Rahul Kumar @ Rahul Ravi Son of Mr. Sargun Prasad Singh R/O Balthara Harchandi, P.S.- Nawada Bazar, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kr. Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritik Thakur, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420 and 406 of the Indian Penal Code.

3. The prosecution case in brief is that the District Welfare Officer, Bhagalpur, issued tenders through Gem Portals for supply of goods to the hostels and the tenders were accepted by an agency, namely M/s Krishna Sales Corporation, Bhagalpur and they also received a sum of Rs. 20,19,409/- including GST but supplied goods worth only Rs. 5,50,359/-.



Thereafter, in spite of several reminders, they neither supplied the goods nor refunded the money.

4. It is submitted by learned counsel appearing on behalf of the petitioners that Petitioner No. 1 is proprietor of M/s Krishna Sales Corporation, Bhagalpur, Petitioner No. 2 is son of Petitioner No. 1 and Petitioner No. 3 is staff of the agency and they have been falsely implicated in this case. No such cheque as alleged has been issued by the petitioner. It is further submitted that at this stage, without admitting their guilt, petitioners are ready to deposit the disputed amount amounting to Rs. 11,64,329/- (Rupees eleven lacs sixty-four thousand three hundred twenty nine), in easy installments.

5. Considering the aforesaid facts and circumstances, prayer for grant of anticipatory bail to the petitioners is allowed.

6. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Jogsar) P.S. Case No. 1082 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with



the following terms and conditions:

- A. At the time of furnishing bail-bond **Rs. 5,00,000/-** (Rupees five lacs) shall be deposited through cash in the *Nazarat* of the Civil Court, Bhagalpur.
- B. Rest amount i.e. **Rs. 6,64,329/-** (Rupees six lacs sixty four thousand three hundred and twenty nine) shall be deposited in the *Nazarat* of Civil Court, Bhagalpur, in two equal installments within a period of six months from the date of furnishing bail-bond.
- C. The aforesaid payment shall be subject to the final outcome of the case.
- D. If petitioners fail to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioners.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

shashank/-

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

