

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61625 of 2024

Arising Out of PS. Case No.-190 Year-2022 Thana- SHASTRINAGAR District- Patna

Vidyanand Rai S/O Satyadeo Rai R/O Asharfi Bhawan, East Bhupatipur, Near
Sahara Sandhya Hospital, P.S- Beur, Distt.- Patna

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Mayank Singh S/O Sri Mithalesh Kumar Singh R/O Shivpuri, P.S- Shashtri Nagar, Distt.- Patna, Mobile No. 9431011863.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate

For the Opposite Party/s : Mr. Lalan Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-09-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406, 420 and 120 B of the
IPC .

3 . As per the prosecution case , It is alleged that the
informant, who was the owner of the truck bearing registration
No. BR06GC4503, executed an agreement of sale of the
aforementioned truck with this petitioner, namely Vidyanand
Rai, in April 2021, and accordingly, after receiving rupees
51,000/- from petitioner Vidyanand Rai, informant handed over
the said truck to him with an assurance that the rest amount



would be given in the coming months. After sometime , when informant demanded the dues amount from this petitioner, then petitioner gave Rs 10,000/- and showed his hardship and assured that after sometime he would clear all dues. It is further alleged that informant came to know that petitioner has sold the aforementioned truck to some other person. It is further alleged that on repeated requests made by informant, petitioner Vidyanand Rai has given a check of Rs. 7,90,000/-, to informant which got bounced on 04-01-2022 due to insufficiency of money .

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and has committed no offence as alleged. Petitioner has paid entire amount in cash and through bank transaction . Only a little sum of Rs 50,000/- is due against him. From perusal of the aforementioned bank statement i. e ., Annexure II to the bail petition , it is clear that informant has suppressed the facts that he received sum of money in cash and through bank transaction . Besides this banking transaction, petitioner has paid a major part of his dues in cash, and details of the same were mentioned by the complainant in a copy kept with him.

5 . Learned counsel for the State opposed the prayer



for bail and submitted that there is specific allegation against petitioner that he took total Rs. 8,51,000/- from informant and when informant demanded his money, petitioner issued a cheque , which got bounced due to insufficient fund.

6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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