

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61020 of 2024

Arising Out of PS. Case No.-779 Year-2023 Thana- DEHRI TOWN District- Rohtas

=====

Anshul Kashyap @ Anshul Kumar @ Ashul Kashyap S/o Late Pradeep Kumar Kashyap @ Late Pradeep Kashyap R/o Mohalla New Dillian, Ward No.20, P.S.- Dehri-On-Sone, Dist.- Rohtas, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Verma C/o- Vashisht Kumar Verma Resident of- C-413, Gali no.10, Adarsh Nagar, Majlis Park, New West Delhi -110033

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Avanish Singh, Adv
For the State	:	Mr. Anil Kumar Singh No. 1, APP
For the Informant	:	Mr. Nityanand Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 420, 379, 506, 120B, 34 of the Indian Penal Code.

3. As per the FIR, there is an allegation of misappropriating Rs.3.90 Crore against the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the father of the petitioner had given Rs.60,00,000/- to the informant's retail business but unfortunately, due to Covid 19



pandemic lockdown, the retail showroom of the informant closed only after 14 days of opening. It was again opened on 08.06.2020 and worked for few days and again opened on 04.09.2020 till 27.09.2020. In such a situation, the informant made a request to father of the petitioner to accept monthly rent charge till market became normal. In reply, the father of petitioner stated that due to complete lockdown there was no business activity and therefore, he was not asking for the rent of the lockdown period but for the period when the showroom was open.

5. It is further submitted that again the father of petitioner requested for the payment of the due rent. The employees of the showroom were also not paid their salary by the informant, therefore, they approached the Labour Court, Dalmianagar, therefore V Life Retail Pvt. Ltd. was noticed to file their explanation. The informant not only failed to pay the rent of the tenanted commercial building but also did not pay the electricity bill which had to be paid by the father of the petitioner. Being convinced by the behaviour of the informant, the matter was sent to the Arbitrator for arbitration and award was passed in favour of the petitioner. Petitioner has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for



the informant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the informant that one case is also pending before the District Judge, Patna for arbitration.

7. Having regard to the facts and circumstances of the case, since this is a case of business transaction dispute/money dispute between the parties, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dehri (T) P.S. Case No.779 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

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

