

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65174 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- ASARGANJ District- Munger

Himanshu Shekhar @ Jhunjhun S/O Nalin Bilochan Singh R/O Village Narayanpur, P.S. Asarganj, Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the State : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Asarganj P.S. Case No. 47 of 2024 for the offence under Sections 406, 420, 427, 467, 468, 471, 504 and 506 of the Indian Penal Code, lodged on 15.03.2024 by the informant, Shambhu Nath Jha.

3. As per the prosecution story, the informant alleged that the petitioner made contact with the informant and ask him to purchase an old car. He took Rs.5,000 as booking amount and then alongwith Mukesh Kumar Singh sold the vehicle at Rs.2,01,000/- once purchased, Rs.20,000 was also invested on the repairing of the car. Later, it came to notice that the vehicle is registered in the name of Ashish Shekhar. Upon knowledge,



request was made to refund the money, legal notice too was sent but the same was not refunded. Accordingly, the F.I.R.

4. It is the case of the petitioner that he has taken only Rs.5,000/- and the rest of the amount has been taken by Mukesh Kumar Singh and is ready to Rs.5,000/-.

5. Learned counsel representing the informant submits it is not a case of the refund of the amount, with the intention to cheat the informant, the petitioner approached him, lured him to pay Rs.5,000/- as an advance for a second hand car, introduced him to Mukesh Kumar Singh fully knowing that he is not the owner rather the owner is Ashish Shekhar and on that pretext he was made to pay the amount for a car which did not belonged to them.

6. Considering the allegation that has come against the petitioner, it would be appropriate that he seek bail. The anticipatory bail stands rejected.

(Rajiv Roy, J)

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