

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69419 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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RAVINDRA KUMAR @ RABINDRA KUMAR @ RAVINDRA PRASAD
S/O LATE SHREE PRASAD R/O M.I.G-27, HANUMAN NAGAR,
KANKARBAG, P.S- PATRAKARNAGAR, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 13-09-2024 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. As prayed for, petitioner is permitted to make necessary
correction in para-1 and prayer portion of the bail petition in
course of the day.

3. Vide order dated 01.11.2023, notice was directed to be
issued to the O.P. No.2 but the same was not served upon the
O.P. No.2 due to her unavailability at the given address,
therefore, vide order dated 28.06.2024, it was agreed to publish
notice through paper publication by the counsel for the
petitioner.

4. Today, learned counsel for the petitioner submits that
notice was published on 22.08.2024 in Times of India and



Prabhat Khabar (Patna), a daily English and Hindi Newspaper. Photocopy of the newspaper cuttings are enclosed at Annexure-A and A/1 to the supplementary affidavit filed on behalf of the petitioner.

5. Despite of all the aforesaid efforts, nobody has entered appearance on behalf of the O.P. No.2/complainant.

6. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 420 r/w 34 of the IPC.

7. As per the prosecution case, an agreement was prepared between the complainant, one Jagdish Prasad and Ravindra Kumar (petitioner herein) to start a Company, in which, share was divided as 51% share to complainant, 20% share to the petitioner and 29% to Jagdish Prasad. The agreement was signed accordingly. The petitioner and co-accused asked her to invest money and they will do the work on her behalf. She had given Rs.15,00,000/- at the time of agreement. It is alleged that co-accused Jagdish Prasad received loan from Chola Mandalam bank and she was made guarantor. For purchase of machine, she gave cheque worth Rs.6,27,000/- to the accused but machine was not purchased. She demanded her cheque, upon which the accused told that the same has lost. It is further alleged that at the time of agreement, it was decided that if the loan amount



will be returned to the bank then responsibility of the company will be ended from 07.07.2019 but loan amount was not paid. Many times, the complainant asked accused persons to account for the firm but they did not do so and denied to pay money.

8. 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 due to grudge. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the present case has been lodged by the complainant with a sole intention to harass the petitioner mentally, physically and financially to get rid of the responsibilities of the Company and Chola Mandal Bank. The complainant has neither invested in the Company nor gave Rs.6.27 Lakhs to bring the machine. All the allegations are baseless and concocted. Petitioner has no criminal antecedent.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, since there is civil/money dispute between the parties, let the above named petitioner, be released on bail, in the event of his 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 Patna (Barh) Complaint Case No.82(C) of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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