

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67523 of 2024

Arising Out of PS. Case No.-414 Year-2023 Thana- PATLIPUTRA District- Patna

Vir Chandra Verma @ Veer Chandra Verma Son of Late Ishwar Chandra Prasad Director of M/s Kumar and Vir Sky Builder Pvt. Ltd., Resident Of Manoharpur Kachhuara, Near Hanuman Mandir, Nayachak, PS Ram Krishna Nagar, Distt.- Patna

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Surya Vijay Singh Son of Late Ramakant Singh R/O- House No. 64, Anugrah Narain Paath, East Alpana Market, Patliputra, Patna-800013

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar , Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State .

2. The petitioner apprehends his arrest in connection with Patliputra P.S. Case No. 414 of 2023 registered under Sections 379, 406, 407, 417, 420 and 34 of the Indian Penal Code .

3 . As per prosecution case , it is alleged that petitioner hired the backhoe loader cat 424 (4 W.D.) from complainant/informant for four years, and as per agreement, petitioner was obliged to make payment of Rs. 1,00,000/- per month to complainant/informant. It is alleged that after payment of few months petitioner refused to pay the rent of the



said equipment.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case . There is no consultation or connection in between the informant/complainant and this petitioner nor the petitioner has executed or signed the alleged deed of agreement dated 16.06.2022 i. e ., Annexure – 2 to the bail petition nor the petitioner has any concern with the said business. Moreover, from bare perusal of the complaint case, it is apparent that the dispute between the parties is with respect to breach of agreement, for which the complainant/informant has got alternative remedies. It is further submitted that none of the acts allegedly committed by this petitioner gave rise to any criminal liability. Only with a view to settle the civil dispute, this false case has been lodged by giving a cloak of criminal offence . Similarly situated co-accused persons have already granted bail by this Court vide order dated 20.08.2024 in Cr. Misc. No. 43257 of 2024 .

5 . However, learned A.P.P. for the State and learned counsel for the opposite party No. 2/complainant opposed the prayer for bail.

6. Having considered the fact that similarly situated



person with similar allegation has already been granted bail by this Hon’ble Court, and other circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-X, Patna in connection with Patliputra P.S. Case No. 414 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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