

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78360 of 2023

Arising Out of PS. Case No.-2069 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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GUDDU KUMAR SON OF GANESH SINGH RESIDENT OF VILLAGE -
KAMALPUR, P.S. GAYA (MUFASSIL), DISTRICT - GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RANJAN SINGH SON OF SRI BAGESHWAR SINGH RESIDENT OF
VILLAGE - KAMALPUR, P.S. GAYA (MUFASSIL), DISTRICT - GAYA.
PERMANENT ADDRESS VILLAGE - KANCHANPUR, P.S. -
SASARAM, DISTRICT - ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Arvind Kumar Singh
For the State	:	Mr.Raj Kishor Singh
For the O.P.2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for offence under Sections 406, 323, 504 of the Indian
Penal Code.

3. As per prosecution case, on payment of
consideration amount of Rs. 1,18,000/-, an Indigo Car (2nd hand)
was handed over by this petitioner to the complainant/opposite
party no. 2, but there was some defect detected in the car, then
petitioner assured to hand over the same after a week after



making necessary repairing, but it is alleged that the car in question was sold to some other person by the petitioner and when opposite party no. 2 demanded his money, he was abused and assaulted by this petitioner.

4. It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case due to previous enmity. In fact, there was talk between complainant and petitioner for sale of vehicle, for which, out of total amount of Rs. 1,18,000/-, only Rs. 18,000/- was paid and without making full payment, the complainant fraudulently wanted to take the car of the petitioner, which was denied by him. It is further submitted that this petitioner has already returned Rs. 18,000/- to the complainant. Moreover, the dispute is purely of a civil nature.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya / concerned court in connection with Complaint Case No. 2069 of 2019, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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