IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14573 of 2025

Arising Out of PS. Case No.-975 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C District- Kaimur (Bhabua)

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Kumar Gaurav S/O Ramesh Kumar Singh Resident of Village- Bhatauni, P.S.- Ramgarh, District- Kaimur at Bhabua

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar Singh S/O Late Lallan Singh R/O Village- Pachikhlai, P.S- Durgawati, Distt.- Kaimur at Bhabua.
3. Prasant Rai S/O Ajay Kumar Rai R/O Village- Matta, P.S and P.O- Jamania , Distt.- Gazipur (U.P.).

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Uday Pratap Singh
For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 **1.** Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341 and 420 of IPC.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent. It is next submitted that petitioner, complainant and Prashant are friends, as they have done B.Tech together. It is further submitted that petitioner and the complainant are related. It is next submitted that petitioner is cousin brother of the complainant.

4. It is further submitted that complainant alleges that petitioner came to his house and disclosed that he worked as a property dealer in Patna and runs a big real estate company and asked the complainant to invest money, which will double in three years, accordingly the complainant deposited an amount of Rs. 14 lakhs in the bank account of petitioner, after three years complainant went to the house of the petitioner seeking his money back but petitioner refused and thus the complainant alleges that he was cheated.

5. The learned counsel appearing on behalf of the petitioner submits that complainant, petitioner and Prashant came together and they started a business in which complainant invested an amount of Rs. 14 lakhs and petitioner invested an amount of Rs. 17 lakhs. It is also submitted that no doubt the complainant credited the money in the account of the petitioner, but then on instruction of the complainant, the petitioner transferred the amount, credited in his account by the complainant, in the account of Prashant apart from his own money, which he also credited in the account of Prashant, but then the business faced loss, as such both complainant and the petitioner lost their money. It is also submitted that it does not appear probable that a person of complainant stature would have invested money merely on saying of the petitioner that the money would get doubled in three years, when the same is not possible. It is further submitted that if complainant is really aggrieved by the fact that his money has been swindled by the petitioner in that event the complainant can file a case before a court of competent civil jurisdiction for recovering the amount but then the instant criminal case has been instituted only to coerce the petitioner into submission, so that he parts with the fanciful demand of the complainant.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 975 of 2021 corresponding to Complaint Case No. 230 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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