

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18584 of 2025

Arising Out of PS. Case No.-556 Year-2024 Thana- PURNEA SADAR District- Purnia

1. Amit Kumar @ Amit Sharma Son of Surendra Kumar Sisoli Resident of village- Meeruti Sisoli, P.S. -Sisoli, District - Meerut State -U.P
2. Shubham Bhardwaj Son of Shrion Sharma village- k- 37, Nibi Nagar Sector- 23, Ps- Sanjay nagar, Dist- Ghaziabad, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Kumar Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 16-09-2025 Heard Mr. Shashank Kumar Singh, learned Counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State and Mr. N.K. Agrawal, learned Senior counsel for the Informant.

2. The petitioners apprehend their arrest in connection with Sadar P.S. Case No. 556 of 2024 for the offence registered under sections 316(5), 316(2), 318(4), 338, 336(3), 340(2) and 61(2) of B.N.S. lodged on 26.09.2025 by the informant, Shobhit Kumar Agrawal.

3. As per the prosecution story, the informant who is in the business of providing construction materials in the District of Purnea alleged that these petitioners who are contractor have business transaction with this informant and



used to regularly take the materials. In the process, they took materials worth Rs. 1,85,70,261/- from the informant, between March, 2023 to July, 2023 and later stopped any communication with them. When the informant went to their Branch Office, Saharsa, it was informed that the same has been closed. Having felt cheated, the FIR.

4. Learned counsel for the petitioners submits that though allegation is there, the fact remains that when it is bereft of any document whatsoever. So far as the observation that has come in learned Sessions Judge order regarding their offer to compromise, the submission is that when one of the brother was arrested, he was forced to compromise the matter which led to payment of Rs. 25,00,000/-

5. Learned Senior counsel representing the informant on the other hand with the help of counter affidavit submits that the petitioner no. 2 namely, Shubham Bhardwaj at the time of arrest of one of the brother Devendu Bhardwaj himself signed a cheque of Rs. 70,00,000/- on 15.11.2024 which however was dishonoured and in between, the brother who was out on bail disappeared/absconded. As such considering the antecedent of the accused and the development that has taken place which also finds recorded in the observation of the learned Sessions



Judge, they do not deserve anticipatory bail.

6. Considering the submissions of the parties as also the materials on record, the fact that emerges that the petitioners took picked up the materials worth Rs. 1,85,70,261/-, which is a huge amount. Later they closed the shop and disappeared. One of the brother when picked up paid Rs. 25,00,000/-and petitioner no. 2 issued cheque of Rs. 70,00,000/- which was dishonoured. The brother now in in the list of absconder.

7. Learned State counsel has also taken this Court to paragraph 116 of the case diary to show that the process has already been initiated against the petitioners.

8. Considering the aforesaid facts as also the development that has taken place including the issuance of process, it would be appropriate that they seek bail.

9. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Raj Ranjan/-

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