

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23422 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Niraj Ray @ Neeraj Ray @ Niraj Kumar Ray Son of Surendra Rai Resident
of Village - Ice Factory, Araria, P.S. - Araria, District - Arariya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhat Kumar Son of Late Dinesh Mahto Resident of Village - Lal Kothi,
P.S. - Town, District - Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari
For the State : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406, 420, 467, 468, 471, 120(B), 34 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner is his cousin brother and though
the informant met Pinku and Ritesh, both Directors of Sashakt
Vihar Construction and Security Private Limited, thereafter an
agreement was entered in between Pinku and the informant for



installation of solar light at the Rs.29,600/- per solar light. It is next alleged that informant had taken work of 22 blocks, as such, he made a payment of Rs.44 Lacs at the rate of Rs.2 Lacs per block to the accused persons through the petitioner. Further, the informant completed the work in some of the blocks, but then, did not receive his money as detailed in the FIR and when requested for payment of money, the accused persons refused.

4. The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the dispute is purely commercial to which a criminal colour has been given. It is also submitted that informant himself in the FIR alleges that he had entered into an agreement with Pinku for installation of solar light and if any dispute has arisen, in that event, the informant has remedy of approaching a Court of competent civil jurisdiction for redressal of his grievance. It is further submitted that as far as petitioner is concerned, he is cousin brother of the informant and against him it is alleged that it was through him that the informant met the Directors of Sashakt Vihar Construction and Security Private Limited and thereafter, entered into a commercial agreement. It is next submitted that the instant criminal case has been instituted only to coerce the petitioner into submission.



5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Katihar Nagar P. S. Case No.368 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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