

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22609 of 2025

Arising Out of PS. Case No.-513 Year-2019 Thana- COMPLAINT CASE District- Lakhisarai

Govind Kumar S/o Shri Bhola Yadav R/o Garam Goddi, P.S. and P.O.- Kiul,
Distt.- Lakhisarai, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar Singh S/o Indradeo Singh R/o vill and Post- Rampur, P.s.-
Suryagraha, Distt.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basheer Faizi, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-07-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the Informant.

2. The petitioner is apprehending arrest in connection with Complaint Case No.513C of 2019, for the offence punishable under Sections 420, 419, 323, 406, 467, 471 and 504 of the Indian Penal Code, 1860.

3. As per the prosecution, the complaint has been filed against the petitioner by the complainant/opposite party No.2 in which cognizance has been taken under sections 420, 406, 467 and 504 of the Indian Penal Code. The basis of the complaint is an affidavit, which has been prepared between the petitioner and O.P. No.2 for purchase of a vehicle. The allegation is that the



petitioner has purchased a vehicle from O.P. No.2 and transferred the ownership of the vehicle in his name, but not paid the full and final amount to the O.P. No.2.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that O.P. No.2 has not sold the vehicle with clean hand. The said vehicle is basically accidental. When the petitioner has applied for finance of his vehicle then the finance department intimated that this vehicle is accidental one and finance shall not be provided.

5. Counsel further submits that it is admitted that the ownership of the said vehicle has been made in his name, but he is ready to return the said vehicle to O.P. No.2 at his own cost. He further submits that on previous occasion, upon listening the argument, this Hon'ble Court has pleased to direct the petitioner to file documents in support of aforesaid submission on affidavit and granted no coercive steps against him.

6. Counsel further submits that the petitioner has paid an amount of Rs.50,000/- to O.P. No.2 and petitioner is ready to transfer the ownership from the vehicle in the name of O.P. No.2.

7. Counsel for the O.P. No.2 submits that the criminal



breach of trust has been made by the petitioner as prior to purchase of the said vehicle, every fact was well-known to him.

8. Learned APP for the State opposes the prayer for bail of the petitioner and fairly submits that it is purely civil dispute for sale of vehicle.

9. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Lakhisarai, in connection with Complaint Case No.513C of 2019 , subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

10. It is made clear that the said refund amount of Rs.50,000/- to the petitioner, shall be subject to the result of the case.

(Dr. Anshuman, J.)

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