

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36299 of 2025**

Arising Out of PS. Case No.-213 Year-2024 Thana- GANDHIMAIDAN District- Patna

Raj Kumar Shukla Son of Late Nand Kishore Shukla Resident of Village - H.  
No.- B/16 Vrindavan Garden, Janakpuri, Sahibabad, Police Station -  
Sahibabad, District - Ghaziabad, Uttar Pradesh - 201005.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramujagar Yadav Son of Late Ramdeo Yadav Proprietor of Ankur Carrier  
Office, 1st Floor, Surya Prabha Mention, Exhibition Road, Police Station -  
Gandhi Maidan, Patna, District - Patna 800001.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Singh  
For the Opposite Party/s : Mr. Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      20-08-2025                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State along with learned counsel appearing on  
behalf of the informant.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 420, 406,  
379, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case. It is next submitted that  
from perusal of the allegation as alleged in the FIR, it would  
manifest that informant, who is owner of M/s Ankur Carrier  
alleges that petitioner was his employee, posted at Ghaziabad  
and the petitioner in between April, 2018 to February, 2024



defalcated an amount of Rs.1,19,05,000/- of the company, further the petitioner was transferred from Ghaziabad to Raurkela in February, 2024 but then the petitioner did not join rather raised a claim of Rs. 80 lacs on the informant, alleging that petitioner had also contributed in the company's growth and as such the informant owes an amount of Rs.80 lacs, which includes his salary even, it is next alleged that the petitioner cheated the company by hiring vehicles on an inflated rates and also did not pay the labourers and siphoned off the said amount also.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant alleges that petitioner being his employee posted at Ghaziabad in between April, 2018 till February, 2024 caused loss of Rs.1,19,05,000/- but then the informant instead of initiating any action against the petitioner, transferred him from Ghaziabad to Raurkela, when petitioner did not join Raurkela and started demanding his dues, the instant FIR came to be instituted. It is further submitted that the instant criminal case has been instituted only with a view to coerce the petitioner into submission so that he parts with the amount which the informant is claiming under fear. It is next



submitted that if the informant is of the opinion that petitioner has caused loss to the company/defalcated any amount, in that event, the informant ought to have resorted to appropriate remedy before an appropriate forum instead of instituting a criminal case. It is also submitted that it is the informant who owes an amount of Rs.80 lacs to the petitioner and in order to ward off his liability, the present FIR came to be instituted. It is also submitted that if the petitioner is not able to prove his innocence in the trial, he will serve the sentence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that had the petitioner defalcated any amount of the company in between April, 2018 to February, 2024, in that event, the informant would not have transferred the petitioner from Ghaziabad to Raurkela rather would have proceeded against him for terminating his service.

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 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 Gandhi Maidan  
P.S. Case No.213/2024, subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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