

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56294 of 2023

Arising Out of PS. Case No.-238 Year-2012 Thana- PATNA COMPLAINT CASE District-
Patna

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RAVI RANJAN S/O SRI DHRUVA PRASAD RAI BRANCH MANAGER,
M/S DIAMOND PLASTERS LTD., AT 914, 7TH FLOOR, ANCHOR
MALL, AJMER ROAD, JAIPUR RAJASTHAN, AT PRESENT OFFICE
DIAMOND PLASTERS LTD., 1ST FLOOR, PLOT NO.-8, LAXMI
GARDEN, MAIN NAJAFGARH ROAD, KIRTI NAGAR, OPP.- METRO
PILLAR NO. 336, NEW DELHI- 110015, PERMANENT R/O MOHALLA-
GURBALIA, BABU TOLA, P.O- MANUAPUL, DISTT.- WEST
CHAMPARAN, BETTIAH.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MUMTAZ ALAM S/O MD. AKHTAR ALI PROPRIETOR OF M/S
SHEEN ENTERPRISES, R/O FLAT NO.-102, SANJAY MANSION,
ASHIANA DIGHA ROAD, P.S- SHASTRI NAGAR, DISTT.- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Advocate
Mr. Shyam Sundar Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 8 31-01-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State but in spite of publication of notice in the
newspapers none is present on behalf of opposite party no.2.
2. By order dated 22.11.2024, the petitioner was directed to
take steps for publication of notice in one Hindi and one
English newspaper widely circulated in the area where opposite
party no.2 is residing. Today, learned counsel for the petitioner
filed a supplementary affidavit bringing on record the copy of
the notice. Hence, the service of notice upon opposite party



no.2 is deemed to be valid service.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 406 of the Indian Penal Code.

4. The prosecution case, in brief, is that the complainant entered into an agreement dated 06.06.2011 with the petitioner and he was appointed as consignee agent of the petitioner. Later on, the petitioner created financial crunch to the complaint and due to that the complainant suffered financial losses.

5. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case for illegal gain. It is further submitted that the complainant did not start work and only on the assurance of the petitioner he started work. It is further submitted that the complainant has written in the complaint petition that he has taken material five times from the accused company but the fact is that he had taken only one truck material from the company. It is further submitted that for purely a civil dispute this criminal case has been lodged against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.



6. Learned APP for the State opposed the prayer for bail.
7. Having regard to the facts and circumstances of the case as also the fact that the dispute *inter se* is purely civil in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 238 (C) of 2012, subject to the condition as laid down under Section 438 (2) of the Cr.P.C

(Anjani Kumar Sharan, J)

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