

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71723 of 2023

Arising Out of PS. Case No.-658 Year-2022 Thana- PATLIPUTRA District- Patna

1. Atul Srivastava Son Of Bk Srivastava Resident Of C-501, Kalka Apartments, Plot No.31, Sector-6, Dwarka, P.S. - Dwarka South, District - South West Delhi, Delhi
2. Saurabh Nagpal Son Of Madan Lal Nagpal Resident Of Flat No.7, Jai Apartments, Plot No.102, Patparganj, I.P Extension, P.S. - Patparganj Industrial Area, District - East Delhi, Delhi
3. Rajeev Siinha Son Of Arun Kumar Sinha Resident Of Flat No.11, Olive Green Apartments, Plot No.-260a, Near Shiv Mandir, Sector 16b, Kakrola, Nsit, Dwarka, P.S. - Dwarka North, District - South West Delhi, Delhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nirbhay Prashant, Adv.
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1, APP
For the Informant	:	Mr. Mahendra Prasad Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 11-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Patliputra P.S. Case no. 658 of 2022 instituted for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per allegation in the FIR, the informant, namely, Lav Kumar Verma alleged that in the month of September, 2020, accused Pranay Narayan Upadhay and Rakesh Singh got



transferred Rs. 500000/- (five lakh) from informant's account to the account of petitioner company i.e. Livewell Products Pvt. Ltd. And after 20 days sanitizer worth Rs. 5,00,000/- was sent to the informant. It is further alleged that after some months, petitioners took back sanitizers valued Rs. 5,00,000/- on 16.01.2021 and assured the informant that his money would be returned back to him. But till date, petitioners have not returned a single pie to the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The present case is of civil nature, pertaining to monetary dispute in business. From perusal of the FIR itself it appears that there is no agreement at all with the petitioner. FIR is based on false and fabricated story. Specific allegation of cheating the informant is against Pranay Narayan Upadhyay and Rakesh Singh and not against these petitioners. They have got no criminal antecedent as per para 3 of the petition.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Patliputra P.S. Case no. 658 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-X, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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