

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.75766 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Raj Prit Singh Son of Sudhir Singh Resident of Vill- H.N. 216 C/o A.K. Singh
Airtel Tower Ke pas wali gali me Lalganj Kudaghat, P.S.- Gorakhpur,
District- Gorakhpur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Vikash Kumar Ram Son of Sanjay Ram Resident of Vill- Basdila Tola
Murgiya, P.S.- Gopalganj, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Tiwari, Adv.
For the Opposite Party/s : Mr.Ramchandra Sahni, APP
Mr.Dharmveer, Adv.for OP-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a complaint
case, punishable for offence punishable under Sections 406, 420
of the Indian Penal Code.

3. The allegation against petitioner is that he induced
the complainant Vikash Kumar and took cash from him for
purchase of Hundai Venue Car from M/s Mushafir Auto Sales &
Services Pvt. Ltd., where the petitioner used to work as
Manager. It is alleged that petitioner took cash and assured the
complainant to make EMI payment by himself in lieu of the
cash taken by him and, accordingly, the petitioner got a loan,
account opened in the name of complainant by finance company
and the petitioner allegedly made payment of EMI on behalf of



the complainant for some months and thereafter stopped payment of EMI and for that reason, the financier started making pressure on the complainant. It is further alleged that the complainant also sent legal notice to this effect, but the petitioner did not pay attention to that notice and thereby cheated the complainant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence, as alleged in the complaint petition. He further submits that it is unbelievable that any person, after making full payment of the car, will sign on a loan form and as such, it clearly indicates that the complainant himself filled up the form of financier for the loan amount, but due to ill-motive, the complainant implicated petitioner and others in this false case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for opposite party no.2 opposed the prayer for anticipatory bail. Learned counsel for opposite party no. 2 submits that there is specific allegation against this petitioner that he cheated the complainant and the aforesaid fact has also come during course of investigation. It is also reflected in the *whatsapp* chat text, held between the petitioner and the opposite party no. 2.



6. Considering the aforesaid facts and circumstances as well as nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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