

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90365 of 2024

Arising Out of PS. Case No.-1416 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Krishna Kant Sinha Son of Late Kailash Sinha Resident of Village -
Lakhanpura, P.S. - Vishnupad, District - Gaya
 2. Kundan Kumar @ Kumdan Kumar Son of Shri Brij Mohan Singh @
Brijnandan Singh Resident of Vasant Vihar Colony, P.S. - Kharkura, District
- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Son of Shyam Sundar Singh Resident of Village - Sobari, P.S.
- Kothi, District - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-02-2025 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1416 of 2023, in which
cognizance has been taken for the offences punishable
under Sections 420/406/467/468/34 of the Indian Penal
Code.
3. The prosecution case, as per the complaint petition filed
by the Opposite Party No. 2, is that the petitioners,
introducing themselves to be the office bearer of Shine



Join Private Limited Company, offered the Opposite Party No. 2 that if he would invest a sum of Rs. 4,49,997/-, the company would give him a Scorpio vehicle. On this assurance, the Opposite Party No. 2 invested a sum of Rs. 4,49,997/- in the company. But after some time, when he did not get a Scorpio vehicle, he approached the petitioners, who told him that the company has recalled the scheme of giving Scorpio vehicle and if Opposite Party No. 2 would invest Rs. 9,00,000/-, the company will give him a piece of land, measuring 1900 square feet. The Opposite Party No. 2 thereafter paid Rs. 2,42,000/- through cash and online transaction, but the petitioners did not transfer any land in his favour and grabbed the entire money given by the Opposite Party No. 2.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence in the manner alleged. He further submits tht the Opposite Party No. 2 did not give money to the petitioners; rather, he had invested a total sum of Rs. 8,71,047/- in the company out of his own sweet will. He further submits that whatever amount the Opposite Party No. 2 had given to the petitioners, they are ready to



refund the same. He further submits that the petitioners are neither the employees nor the promoters of the company, in question; rather, they are also investors.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is direct allegation against the petitioners of grabbing the amount of the Opposite Party No. 2 and on the assurance of the petitioners, the Opposite Party No. 2 had invested a total sum of Rs. 8,71,047/- in the company, part of which the Opposite Party No. 2 transferred in the account of the petitioner no. 1, I am not inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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