

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49721 of 2025

Arising Out of PS. Case No.-3766 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

Md. Aftab S/o- Yusuf Proprietor Mediaim Health Care 1111 Sect. II College
Colony Dera Bassi Ps- Dera Bassi Dist- SAS Nagar Mohali Punjab

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Diwakar Narayan Upadhyay General Manager, Shreeja Solutions,
Upadhya Bhawan South Gate of Vidya Niketan School Sheikhpura Bachicha
Ps- Shastri Nagar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md. Nurul Hoda, Adv.
For the Opposite Party/s :	Mr.Vinod Shanker Modi, APP
	Mr. Manoj Kumar Singh, Adv.for OP-2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Section 420/34 of the
Indian Penal Code.

3. The informant, namely, Diwakar Narayan Upadhyay
alleged that he agreed to supply medical test equipment to
petitioner for State of Bihar and started supplying, but due to
absence of bar code, provided by petitioner, necessary service
was not provided. The informant further alleged that the
petitioner sent defective machines worth Rs. 3,00,900/- and



after repeated requests, did not take back said machines. Thereafter, on 02.03.2022 and 14.03.2022, petitioner along with 2-3 unknown persons came in the office of informant, abused him and demanded the money of defective machines and also threatened him with dire consequences.

4. Learned counsel for the petitioner submits that from bare perusal of the complaint petition, it is apparent that both parties have business terms and are well-known to each other since long. Pursuant to an agreement entered into between the parties, the opposite party no. 2 were purchasing laboratory equipments from the petitioner's firm and had been selling the same to its customers in the State of Bihar and as per the continuous business transactions, an amount of Rs. 4,41,200/- was outstanding against the opposite party no. 2, however, on repeated requests made by petitioner, the opposite party no. 2 refused to pay the same and ultimately, the petitioner was compelled to file a civil suit in the Court of Ms. Renika Gera, PCS, Civil Judge (Junior Division), Derabassi, vide CNR No. PBSAB00002942022, CIS No. CS/213/2022, which was decreed in favour of petitioner on 26.02.2026 (copy of judgment is annexed as Annexure P/4 to the supplementary affidavit). Petitioner claims clean antecedent.



5. Learned counsel for opposite party no. 2 opposes the prayer for anticipatory bail.

6. Considering the nature of accusation and order of decree passed in favour of petitioner, the prayer for anticipatory bail of petitioner is allowed. In the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna in connection with Complaint Case No. 3766(C)/2022, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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