IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62628 of 2026

CNR No. BRHC010904112026

Arising Out of PS. Case No.-492 Year-2026 Thana- RUPASPUR District- Patna

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Anit Kumar Son of Madan Mohan Sahay Resident Of - B 103, Jagmano Shri Garden, Ved Nagar, Rukunpura, Ps - Rupaspur, Dist- Patna (Rukanpura Ps Wrongly mentioned in Impugned Order)

... ... Petitioner/s

Versus

1. The State of Bihar
2. Priya Mathur W/o Dhananajay Kumar Yadav R/o Flat No. 104, Block Ganga-2, Jalalpur City, Ram Jaipal Nagar Road, Baily Road, P.S.- Rupaspur, Distt.- Patna- 801503

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Niraj Kumar
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 27-10-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned senior counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 316(2), 318(4), 351(2), 79 and 3(5) of the BNS.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she along with Rani (wife of Ajay) were partners in a firm, namely, Shree Khatu Shyam Developers and the firm was engaged in different

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commercial work with Bihar Rajya Pul Nirman Nigam Limited, next alleges that Ajay exercises active control over the business and affairs of Shree Khatu Shyam Developers, further petitioner is also a partner having 2% share in the firm, next alleges that parties had entered into a settlement in pursuance whereof the accused were liable to pay a sum of Rs. 15 crores to the informant, but informant was paid only Rs. 45 lakhs, thus the terms of the agreement were violated, further Rani at the behest of Ajay and petitioner withheld the payment, next alleges that WhatsApp chat clearly reflects that accused persons were aware of the due payments, further whenever she demands her money accused persons threaten that she will be killed, thus alleges that accused persons defalcated an amount of Rs. 14.50 crores.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is civil in nature to which a criminal color has been given, it is next submitted that if the terms of the settlement were not adhered to by the accused persons as alleged by the informant in that event the informant ought to have approached

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a Court of competent civil jurisdiction seeking appropriate relief in terms of the agreement, it is also submitted that had the informant approached the Court of competent civil jurisdiction in that event the petitioner would have appeared and would have contested her claim but then the instant criminal case has been filed only with an intent to coerce the petitioner into submission so that he parts with the fanciful demands of the informant.

5. Learned A.P.P. for the State and the learned senior counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the dispute is civil in nature to which a criminal color has been given and if the informant was aggrieved by the fact that terms of the aggreement were not adhered to by the accused persons in that event she ought to have moved before a Court of competent civil jurisdiction.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand)

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with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Rupaspur P.S. Case No. 492 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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