

In the Court of Additional Sessions Judge XIXth , Patna
Anticipatory Bail Petition No.- 1097/2026

In the Matter of

1- Rahul Kumar, Male, aged about 43 years, S/o Anil Prasad, Flat No. 402, Nutan Hari Sewa Complex, Bus Stand, PS-jakkanpur, District- Patna,

2- Gyan Jyoti, Male, aged about 35 years, S/o Sunil Kumar Singh, R/0 1015, Rajendra Path, Station road, PS-Kotwali, District- Patna,

3- Sujit Kumar Singh, Male, aged about 39 years, S/o Upendra Narayan Singh, R/o house No. 409, Mainpura, near state boring, PS- Buddha Colony, District- Patna

4- Dhiraj Kumar Singh, Male, aged about 35 years, /MAR 2026 Ashok Singh, R/o- Flat No. 502, Badal mansion, Behind Tewari Bechar, PS- Kankarbagh, District- Patna,

.....Accused (Petitioners)

Vs

State of Bihar

.....Prosecution (Respondent)

(Arising out of S.K.Puri P.S. Case no. 370/2022)

Date of Order	Order with initials of the Judge	Remarks
<u>05-05-2026</u>	<p>This anticipatory bail petition has been filed on behalf of above named accused persons who are apprehending their arrest in connection with S.K.Puri P.S. Case No. 370/2022 for the offence punishable u/s 420, 406, 506, 120B/34 of the IPC.</p> <p>Heard learned counsel for the petitioner Sri Madhukar Anand and the learned A.P.P Sri Vidya Dhar Mishra for the state as well as Sri Shailendra Kumar, Ld. Counsel for the informant.</p> <p>The prosecution case in brief is that petitiones namely Rahul Kumar, Jyoti, Sujit Kumar Singh and Dhiraj Kumar Singh, are director of M/S Ghar Laxmi Private limited and they have executed an agreement with informant for purchasing flat no. 504, in Block B of Income Tax Residency</p>	Contd...

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Contd....2/
05.05.2026

and in pursuance of the said agreement Informant had paid Rs. 06,75,000/- but petitioners were not allotted any flat. Informant further alleged that when for much time no construction work started, he filed a case in RERA, where after he got to know that Rahul Kumar has taken the aforesaid money from him without taking any approval for Block B of the project from RERA. He further alleged that all the accused persons defrauded him of Rs. 06,75,000/-. Thereafter he filed F.I.R. case against petitioners.

Learned counsel for the petitioner submits that petitioners are quite innocent and have falsely been implicated in this. Petitioner no. 2 has four criminal antecedent. It has been contended that the informant has executed an agreement/Memorandum with M/S Ghar Laxmi Buildcon Private limited and the money was also paid to M/S Ghar Laxmi Buildcon Private limited, but the said company has not been arrayed as an accused in this case, as such no criminal liability can be fastened on these petitioner they were director of the said company. In fact it was the informant who did not paid the installments as per the schedule of payment, which led to automatic cancellation of the agreement. Petitioners are ready to return the claimed amount of Rs. 06,75,000/- to the informant in 15 equal monthly installments of Rs. 45,000/- starting from the date of furnishing bail bond, subject to the condition that after receiving the entire amount the informant will not contest the present case and help the petitioners to get the case disposed on basis of compromise or quashed. Hence make the prayer to enlarge the petitioner on bail.

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In the Court of Additional Sessions Judge XIXth , Patna
Anticipatory Bail Petition No.- 1097/2026

Contd...3/
05.05.2026

Learned Additional Public Prosecutor and Ld. counsel for informant has no objection on bail if petitioner agrees to the amount to informant.

Heard learned counsel for petitioners and perused the record. On perusal of record, it transpired that F.I.R. has been registered u/s 420, 406, 506, 120B/34 of the IPC against the petitioners in connection with S.K. Puri P.S. no. 370/2022. The allegations levelled against the petitioners are that they received money from the informant for purchasing flat and an agreement was also made between both but petitioners but petitioners were not allotted any flat nor return his money. Further I find that petitioners are ready to pay amount in installment and informant is also agree on it and filed a petition in this regard.

Considering the facts and circumstances as discussed above the bail prayer of the petitioners are **allowed**. Petitioners are directed to be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court below in case of their arrest or surrender within a period of one month from the date of receipt of copy of this order subject to the conditions as laid down U/s. 482(2) of the B.N.S. with further conditions as under:-

1. The petitioners shall repay Rs. 6,75,000/- to the informant in installments.
2. First installment of Rs. 1,00,000/- shall be paid at the time of filing of bail bond it self and Rs. 5,75,000/- in six consecutive months Rs. 1,00,000/- in five months and 75,000/- in last month.

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<u>Contd...4/</u> 05.05.2026	<p>3. If the petitioner fails to fulfill the aforesaid conditions, his bail bond shall be liable to be cancelled after hearing both sides and without any further reference to this court.</p> <p style="text-align: right;">(Dictated) Sd/_ (Divya Mita) ASJ – XIX PATNA</p>	
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Date of order	05.05.2026
Date of reserving order	28.04.2026
Uploading Date	08.05.2026
Uploaded by	Steno attached with this court