

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28122 of 2015

Arising Out of PS.Case No. -563 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Birendra Kumar Singh son of Sri Madhsudan Singh, resident of village
Ghataro P.S. Katahan District- Vaishali, at present working as a Area Sales
Manager of M/S Rutilant Marcom Private Ltd. B.T. Road Kolkatta 800108,
West Bengal

.... Petitioner

Versus

1. The State of Bihar
2. Baij Nath Prasad Chaurasia S/o Sri Anandi Bhagat village Gadhma
Basanta P.O. Ghataro P.S. Lalganj, Dist. Vaishali

.... Opposite Parties

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with

Criminal Miscellaneous No.28268 of 2015

Arising Out of PS.Case No. -563 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Subodh Kumar Verma S/o Late Ram Chandra Prasad Verma resident of
village - Mishraulia, P.S. - Sakra, Dist - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baidyanath Chaurasia S/o Ram Anandi Bhagat resident of Village -
Gadama Batanta, P.S. - Lalganj, District - Vaishali, Proprietor M/s Jay
Maa Ambika Traders, Tinpulwa Chowk, P.S. Lalganj, District -
Vaishali.

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.28122 of 2015)

For the Petitioner : Mr. Awadhesh Kumar Singh

For the Opposite Parties : Mr. Ganesh Pd.Singh(App)

(In Cr.Misc. No.28268 of 2015)

For the Petitioner : Mr. Shashi Bhushan Singh

For the Opposite Parties : Mr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Learned counsel for the petitioners is permitted to

make necessary correction in para-3 of the application.

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 420 and 406 of the Indian Penal Code.

It is alleged by the informant that the accused persons are Managing Director, Regional Sales Director and Area Manager and they are engaged in manufacturing and sale of mustard oil and they entered into an agreement for supply of edible oil but the accused persons did not supply.

It has been submitted on behalf of the petitioners that the petitioners have been made accused due to mistake of fact. It is further submitted that there is admitted dispute of four lacks. It has been brought to the notice of this Court that the said rupees four lacks in question has already been paid to one of the partners of the complainant which is evident from the order passed in Cr.Misc.No.30702 of 2015.

On behalf of the State and the informant, it has been submitted that the petitioners are involved in a similar type of cases and he is committed fraud and with other persons.

Considering the aforesaid facts and circumstances and taking into account that the rupees four lacks in question has already been paid to the partner of the complainant, let the above named petitioners, in the event of their arrest or surrender in the

court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Complaint Case No.563 of 2014, Trial No.7653 of 2014 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

B.Kr./-

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