

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50863 of 2015

Arising Out of PS.Case No. -364 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Birendra Kumar Singh son of Madhusudan Singh, Resident of village-
Ghataro, P.S.- Kartahan, District- Vaishali. At present Area Sale Manager
M/s Rutilant Marcom Pvt. Ltd., B.T. Road Calcutta- 800108, West Bengal

.... Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar Chaudhary son of Rameshwar Chaudhary, Resident of
village- Gauspur Ezra, P.S.- Hajipur Sadar, District- Vaishali

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 10-12-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 364 of 2014 registered under Sections
406 and 420 of the Indian Penal Code.

The allegation of complainant/opposite party no.2
is that he is the proprietor of Sambhai Enterprises engaged in
supply of the Edible Oil. The petitioner/accused no.3 and accused
no.5, Subodh Kumar Verma, being the Area Manager and
Regional Sales Manager respectively of Rutilent Marcom Private
Limited approached the complainant and assured to supply edible
oil of Rs. 5 Lacs by the Company on deposit of Rs. 2 lacs.
Accordingly, the complainant deposited Rs. 2 lacs and entered into

an agreement, which was signed by the Managing Director/
Accused no.2 of M/s Rutilent Marcom Private Limited but
according to assurance edible oil could not be supplied.

Learned counsel appearing on behalf of the
petitioner submits that petitioner, being the employee of Area
Sales Manager, only convinced the petitioner and Rs. 2 lacs has
already been deposited in the Company. Moreover, the agreement
has been signed by the other co-accused Ajay Kumar Pandey not
by this petitioner.

Having considered the facts and circumstances of
the case, let the above named petitioner be released on bail, in the
event of arrest or surrender before the learned Court below within
a period of four weeks from today, on furnishing bail bond of Rs.
10,000/- (ten thousand) with two sureties of the like amount each
to the satisfaction of the C.J.M., Vaishali at Hajipur in connection
with Complaint Case No. 364 of 2014, subject to the condition as
laid down under Section 438(2) of the Cr. P.C. Out of two
sureties, one surety must be close relative/parent of the petitioner,
who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J.)

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