

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37764 of 2014

Arising Out of PS.Case No. -108 Year- 2011 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

Vikram Verma, son of Rajkumar Verma, resident of H/N24 Modern
Enclave, P.S. Beltrana, District Mohali, Punjab

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Dhaka P.S. Case
No. 108 of 2011 dated 27.06.2011 instituted under Sections
403/406/420/120B of the Indian Penal Code.

Learned counsel for the petitioner submits that he is
the countryhead of the manufacturer of the ultrasound machine
which is alleged to have been given for repair to the company and
not being returned to the complainant despite him having been
paid Rs. 75,000/-. Learned counsel submits that the machine was



purchased in the year 2004 and it is alleged that it was given for repair in February, 2008 but the complaint was filed only in June, 2011 which was later sent to the police for registering the F.I.R. It is submitted that there is no explanation for the delay and also that prima facie from the so called receipt of Rs. 25,000/-, it prima facie appears that the receipt is not genuine and in any view of the matter, the petitioner could have approached the Civil Courts in the matter and the company is still ready to hand over the ultrasound machine to the complainant on payment of the repairing charge. Learned counsel submits that the petitioner has no criminal antecedent and has been unnecessary harassed by lodging of the present case. It is submitted that the person who is working for the company at Patna, namely Devanand has been granted anticipatory bail by a co-ordinate Bench of this Court on 18.07.2014 in Cr. Misc. No. 19213 of 2014.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount

each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in Dhaka P.S. Case No. 108 of 2011, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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