

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3628 of 2015

Arising Out of PS.Case No. -1239 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Manoj Kumar Son of Om Prakash, Resident of Mohalla-Chondi, P.O+P.S-
Barh, Distt.-Patna.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Jageshwar Prasad Gupta Son of Jay Kishun Prasad name of Firm-Deepak
Kirana Store, resident of village-Guljarbagh, Patna City, P.S-Alamganj,
Distt.-Patna.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 16-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Complaint Case no. 1239 of 2013 registered for
offences under sections 420, 406, 509 of the Indian Penal Code
and Section 138 of the N.I. Act.

As per the allegation, the complainant and the
accused person having business relationship and in course of
business, the complainant gave Rs. 3,00,000/- for the supplying of
the material which was not supplied as per the allegation.

The counsel for the petitioner submits that in fact the

petitioner has received Rs. 1,00,000/- through cheque, with regard to the rest amount material has been supplied.

In such view of the matter, the petitioner is agreed to pay Rs. 1,00,000/- through demand draft within two months and the rest amount he will deposit in the Court within four months in one go.

In such view of the matter, the petitioner is directed to pay Rs. 1,00,000 (one lakh) to the complainant through demand draft in one month and deposit the rest amount in the court below within 4 months. On deposit of aforesaid amount, the court below will invest the same in any scheme of Nationalise Bank so that the money would earn maximum interest. The money will be released in favour of either party, subjects to result of the case.

In view of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna in connection with Complaint Case no. 1239 of 2013, subject to the condition as laid down under Section 438 (2) Cr. P.C.

If the amount is not paid on the time prescribed, the
bail bonds of the petitioner will be deemed to have been cancelled.

(Shivaji Pandey, J)

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