

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.576 of 2015

Arising Out of PS.Case No. -973 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

Mukhlal Prasad Son of Late Prahlad Prasad Resident of Village-
Dhumnagar,Kachahary Tola,P.S-Nautan,District-West Champaran at
Bettiah

.... Petitioner/s

Versus

1. The State of Bihar
2. Jaggu Mahto Son of Sunarman Mahto Resident of Village-Barwat
Pasrain,P.S-Bettiah Mufassil,District-West Champaran at Bettiah

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Manish Kumar-Ii(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2015 The petitioner is apprehending his arrest in connection
with Complaint Case No. 973 C of 2013 for the offence under
Section 406 of the Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The complainant has alleged that negotiation was
made between the complaint and the petitioner for supply of
twenty thousands bricks for which complainant paid Rs. 90,000/-
to the petitioner and the petitioner wrote the receipt of such
payment on a non-judicial stamp but according to schedule the
petitioner did not supply the bricks and assured that he will
supply the same in the next sessions. But the petitioner neither

supplied the bricks nor returned his money and lastly threatened to the complainant and refused to return the same.

It has been submitted on behalf of the petitioner that the present prosecution has been brought after a period of three years .It has been further submitted that he has falsely been implicated in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts, let the above named petitioner, in the event of his 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) with two sureties of the like amount each to the satisfaction of Sri A.K.Pandey, Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Trial No. 2654 of 2014 (Complaint Case No. 973 C of 2013) , subject to the conditions as laid down u/s 438(2) Cr.P.C.

It is further directed that the petitioner shall deposit an amount of Rs. 5,000/- (five thousand) in the court below, which shall be subject matter of final result of the case.

(Sudhir Singh, J)

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