

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39789 of 2015

Arising out of PS.Case No. -1022 Year- 2013 Thana -PATNA COMPLAINT CASE District- PATNA

Kamrrujama Khan, son of Late Habib Khan, Proprietor of Badshah Packaging, resident of 78 A, Baithak Khan Road, Near Apparuwala Maszid, PO & PS- Amar Street, Kolkata- 700009 (West Bengal).

.... Petitioner

Versus

- 1. The State of Bihar.
- 2. Govind Enterprises, through its Proprietor Ravindra Kumar Sinha, resident of Ram Jiwan Lane, Kankarbagh Road, PS- Kankarbagh, District- Patna,

.... Opposite Parties.

Appearance :

For the Petitioner : Mr. Jitendra Kumar, Advocate.
For the State : Mr. Arun Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Complaint Case No. 1022(C) of 2013 for the offences instituted under Sections 406 and 420 of the IPC. but cognizance has been taken under Section 420 of the IPC.

The prosecution story, in brief, is that the petitioner and others entered into business transaction with the complainant. The complainant allegedly paid Rs. 2.80 Lacs in different instalments through account transfer or demand draft for supply of goods to the petitioners. However, goods were not supplied.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in the present case due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Complaint Case No. 1022(C) of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)