

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11356 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA

=====

1. Pradeep Kumar Daam Son of late Subodh Chandra Daam, Partner M/s P.S. Enterprises, P.O. - Nibra, NH-6, Ankur Toli Chek post , P.s. Damjur, District- Hawrah(West Bengal)

.... Petitioner/s

Versus

1. The State of Bihar
2. Zulfekar Ali M/S Nobil Enterprises resident of Gewal Bigha, Road West Kailash park, P.s. Rampur, District- Gaya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-03-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 323, 504 of the Indian Penal Code.

It is alleged that the petitioner being the partner of M/S P.S. Enterprises sold Air Compressor Machine to the complainant which has some manufacturing defect but, in spite of complaint being made during warranty period, the same was not being removed or replaced.

It is submitted by the learned counsel for the petitioner that the Air Compressor Machine is of L.G. and

Diesel Engine is of 'Cummines' and under the warranty the repair or replacement has to be made by the L.G. or the Cummines. Moreover, now the warranty period has already expired. It is further submitted that engineers were threatened by the complainant, as a result, they refused to attend the call made by the complainant.

Considering the nature of accusation, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Gaya in connection with Complaint Case No. 07 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The grant of bail will not preclude the complainant to raise the claim at the appropriate forum.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--