

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8439 of 2016

Arising Out of PS.Case No. -28817 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

Manoj Kumar Ojha, Son of Sarvajeet Ojha, resident of M/s Suvidha Chahat
Complex, Buxar, Station Road, P.O. Buxar, P.S. Kotwali, District - Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav. Advocate

For the Opposite Party/s : Mr. Subash Chandra Mishra (App)

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Section 406 of the Indian Penal Code and
Section 138 of the N.I. Act registered in connection with
Complaint Case No.28817 (C) of 2014.

3. It is submitted that the petitioner has been falsely
implicated and the complaint has been filed relating to a dispute of
purely civil nature involving of sale of goods to the petitioner. It is
submitted that out of the articles purchased for Rs.4,34,499/-,
some of the articles amounting to Rs.2,89,499/- were defective
and not up to standard. In any event, the petitioner expresses his
willingness to make payment of Rs.1,00,000/- to the complainant

in lieu of the cheque for that amount issued by him but later dishonoured.

4. Learned counsel for the complainant, *suo motu*, appears and has been heard, who has opposed the petition.

5. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the 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 furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Complaint Case No.28817 (C), subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the further condition that the petitioner shall make payment of Rs.1,00,000/- to the complainant within a period of 30 days from today.

(Vikash Jain, J)

N.H./-

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