

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53189 of 2016

Arising Out of PS.Case No. -355 Year- 2016 Thana -DANAPUR District- PATNA

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Manoj Kumar @ Manoj Kumar Broker, son of Om Prakash, Resident of
Mohalla-Chondipar, Near Sadar Hospital, P.S. Barh, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Danapur P.S. Case No. 355 of 2016, registered under Section 406 and
420 of the Indian Penal Code.

The accusation is that informant, being the proprietor of
Puja Store, transferred Rs. 7,35,000/- through R.T.G.S. in the account
of Siddhi Vinayak firm of which proprietor is Utam Kumar for
delivery of 200 quintals of sugar in the brokership of this petitioner,
but in spite of passing over two months sugar has not been transferred
in the firm of informant.

Learned counsel for the petitioner submits that while it is
alleged that under the brokership of the petitioner talk was made by the
informant to Utam Kumar, Proprietor of Siddhi Vinayak for purchase
of 200 quintal of sugar and accordingly Rs. 7,35,000/- was transferred



in the account of the firm Siddhi Vinayak, but the sugar was not supplied to the firm of the informant as such it is clear that the petitioner has no hand in receiving the money for sending the sugar and intentionally the petitioner has also been made accused showing him as broker.

Having regard to the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 355 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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