

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15408 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Uttam Kumar S/o Late Gopal Prasad Proprietor of M/s Siddi Vinayak
Trader, Vashkiyar Market, Mirsafayat Road, Purani Godown, Gaya, P.S. -
Kotwali, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anujit Sinha

For the Opposite Party/s : Mr. Md. Ansarul Haque

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

3 27-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sohsarai P.S. Case no. 153 of 2016, registered under Sections 420 and
466 of the Indian Penal Code.

The accusation is that informant Mukesh Kumar being
the proprietor of Kirti Trading engaged in business of selling of Maida,
Aanta, Sugar and Refine, ordered to the petitioner, who is proprietor of
Sidhi Vinayak Traders, Gaya, for supply of 200 quintal sugar at the
rate of Rs. 3795/- per quintal and he also sent Rs. 7,59,000/- through
RTGS in the account of M/s Sidhi Vinayak Traders, but in spite of
giving money to the petitioner neither supplied the sugar nor the
money was returned to the informant.

Learned counsel for the petitioner submits that, in fact,



after receiving Rs. 7,59,000/- for supply of 20 MT sugar the same was sent to the firm of the informant, who also received the delivery, but with ulterior motive this false case has been lodged.

On the other hand, learned counsel appearing on behalf of the informant submits that petitioner obtained forged signature of the informant on the invoice.

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 A.C.J.M. Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 153 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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