

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46306 of 2017

Arising Out of PS.Case No. -295 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Janardan Prasad Son of Indrasan Prasad, R/o Asthan Thakur Complex,
thane Road, Near State Bank, Ambedkar Chowk, Gopalganj, P.S.-
Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Govind Kumar Poddar, Partner of Kumar Enterprises, Son of Deokaran
Das Poddar , At Rahman Complex, Ciat Compound, Exhibition Road,
Patna, P.S.- Gandhi Maidan, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-10-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 295 of 2013 registered for the offences punishable under
Sections 406 and 418 of the Indian Penal Code.

The complainant alleged that the petitioner took
medicine on credit from the shop of the complainant namely
Kumar Enterprises. It is further alleged that the petitioner
persuaded the complainant to make the petitioner stockiest on
such, the complainant supplied medicine of Rs. 4,23,758/-, but the
petitioner returned only Rs. 24,815/-.

Learned counsel for the petitioner submits that the



entire allegation is false and concocted. The petitioner used to take medicine from the shop of the complainant, but he returned the entire price of the petitioner and nothing is lying due against the petitioner. When the petitioner stopped purchasing medicine from the shop of the complainant, the complainant lodged this false case.

Considering the facts aforesaid and the fact that the dispute arose during business transaction, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Patna in Complaint Case No. 295 of 2013, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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