

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73358 of 2018

Arising Out of PS. Case No.-530 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Ramesh Kumar Son of Kanti Prasad Sah, Resident of Mohalla-Mahaddi Nagar, Mirjanhat, Police Station-Badargajn, District-Bhagalpur Office at Present Super Market Complex Patel Babu Road, Police Station-Tilkamanjhi, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kotwali (Tilkamanjhi) P. S. case no. 530/2018 registered under
sections 406 and 420 of the IPC.

It is admitted case of the prosecution that the petitioner
was given franchise agency for a certain period but he booked
goods of customers beyond the period of agreement and
allegedly, digested Rs 4 lakh of the informant.

Submission on behalf of the petitioner is that even if
prosecution story assumed to be true, then also, it is case of
breach of agreement and, as a matter of fact, no criminal offence



is made out.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Tilkamanjhi) P. S. case no. 530/2018 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

s.hassan/-

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