

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4902 of 2018

Arising Out of PS. Case No.-577 Year-2017 Thana- AGAMKUAN District- Patna

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1. Shailendra Kumar Sharma @ Shailendra Kumar, S/o Chandrika Prasad Sharma,
 2. Devi Kumar Singh @ Dev Kumar @ Dev Kumar Singh S/o Late Bhikhan Prasad,
- Both are R/o 25, New Punaichak, P.S.- S.K. Puri, District- Patna.
... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar, Thakur, Advocate Mr. Amit Kumar, Advocate Mr. Pravin Kumar
For the Opposite Party/s :		Mr. SRI PRANAV KUMAR

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Supplementary affidavit has been filed on behalf of the
petitioners which has been taken on record.

The petitioners apprehend their arrest in connection with
Agamkuan P. S. Case No. 577 of 2017 registered for the
offences punishable under Sections 419, 420, 406, 120B of the
Indian Penal Code.

Allegedly, as per work order given by the petitioners, the
informant supplied Gabions (made of bamboo) of Rs.
49,64,000/-, out of which the company of the petitioners paid
only Rs. 38,00,000/- and rest of Rs. 11,64,000/- is not being
paid and they refused to pay the same.



Submission is of false implication and that it is a case of accounting, no offence under Sections 419, 420 and 406 IPC is made out, the informant had supplied Gabions (made of bamboo) only for Rs. 38,00,000/- which is evident from verification report. Moreover, the matter being of accounting the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering the dispute purely of accounting, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Agamkuan P. S. Case No. 577 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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