

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44497 of 2018

Arising Out of PS.Case No. -101 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Vikash Kumar Singh, aged about 40 years, Son of Umeshwar Prasad Singh,
Resident of Silawat, North S.K. Puri, Boring Road, Patna, Police Station-
S.K. Puri, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Keshav Kumar Jha, Son of Dharendra Jha, Resident of Maya Niwas,
Mohalla- Ashok Nagar, Road 09, Kankarbagh, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Krishna Nand Jha
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-08-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Complaint Case No. 101 of 2013 in which cognizance has been
under Sections 420, 406, 468 and 34 of the Indian Penal Code.

Allegation against the petitioner, who is Director of
Aastha Motors, which is holding the Kumar Distributors Pvt. Ltd
and from Kumar Distributors the informant has purchased a car
and allegation is that instead of supplying new car old car has been
supplied to the complainant.

Submission of learned counsel for the petitioner is that a
new car was provided to the complainant and on detecting some



defects the complainant has left the car to the Company demanding a new car instead of that. Further submission is that petitioner is Director of the Company and he is ready to supply the same car in new running condition even after repairing of the engine in presence of the complainant.

Heard learned APP and learned counsel for the complainant, who has opposed the prayer for anticipatory bail stating that petitioner has cheated the complainant.

Having heard both sides and in the facts and circumstances, let the petitioner, named above, surrender within a period of six weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Patna City, in connection with Complaint Case No. 101 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and further condition is that petitioner will remove all the defects and deliver the car in new running condition after repairing the engine in presence of the complainant.



Learned counsel for the complainant has submitted that if the car is supplied in new running condition, he is ready to withdraw the case.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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