

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36422 of 2018

Arising Out of PS.Case No. -186 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

=====

1. Kundan Kumar @ Kumar Kundan, Son of Manoj Kumar Singh,
Resident of Village- Sambhupur Koyari, Police Station- Sarai, District-
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manowar Ajam, Son of Safi Ahmad, Resident of Village- Mehdi Hassan
chowk, Police Station- Brahmpura, District- Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Singh
For the Opposite Party/s : Smt. Pushpa Sinha

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-08-2018 The petitioner is apprehending his arrest in connection
with Complaint Case No. 186/2012 arising out of Trial
No.374/2018, registered for offences punishable under Section
406 of the Indian Penal Code.

Allegation as per F.I.R. is that there was agreement
between the complainant and one co-accused Abid Zaman for
taking C & F agency and for that the complainant has deposited
Rs.4 lacs in the account of the company and the receipt has been
issued by the petitioner. However, the agency has not given the
C&F and also not returned the money.

Submission of learned counsel for the petitioner is that



amount has been given in the name of the Regional Manager of the said company and the petitioner is only the employee there and he has no concerned with the transaction of money between the petitioner and company, though he has only issued receipt in favour of the complainant.

Heard learned A.P.P. also.

Nobody has appeared on behalf of the complainant despite valid service of notice.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M cum Sub Judge VII, Muzaffarpur, in connection with Complaint Case No. 186/2012 arising out of Trial No.374/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.



(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

U		T	
---	--	---	--

