

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17282 of 2018

Arising Out of PS.Case No. -1134 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Brajesh Kumar @ Brajesh Kumar Sinha, Son of Sri Bharat Sinha, presently residing at House No. H/150, Veer Kunwar Singh Colony, Hinoor Ranchi - 2, P.S. -Doranda, Ranchi (Jharkhand). Permanent resident of Village - Chiniya Bela, Post Office + Police Station - Punpun, District - Patna.

.... Petitioner

Versus

1. State of Bihar
2. Alok Kumar Singh, Son of Captain Umashankar Singh, Resident of Mohalla - Saguna Mode, South Danapur, Khagaul Road, through Amber Tiles Factory, Post Office - Danapur Cantt. Danapur, P.S. - Danapur, District - Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2018 The petitioner is apprehending his arrest in connection with Complaint Case No. 1134(C)/16, registered for offences punishable under Sections 406 and 420 of the Indian Penal Code.

Complainant is the supplier of tiles and pavers and allegation against the petitioner that he lifted pavers worth Rs. 5,27,000/- and gave Rs. 1,76,000/- and he has not been paying the remaining amount of Rs. 3,51,000/-.

It has been submitted on behalf of the petitioner that he has already given the cheque of Rs. 3,51,000/- to the complainant but he did not produce the same. However, the petitioner is still ready to return the amount of the petitioner, if some reasonable time is allowed to him.

Heard learned A.P.P. as well as learned counsel for the



complainant. Learned counsel for the complainant has submitted that total Rs. 4,00,000/- (3,51,000 + interest accrued thereon) is due to the petitioner and he is not returning the money.

Having heard both sides, in view of the submission of learned counsel for the petitioner that he is ready to deposit the amount of Rs. 4,00,000/- in favour of the complainant in two installements, this application is disposed of with direction to the petitioner to surrender before the court with a cheque of Rs. 2,00,000/- in favour of the complainant and the court below after satisfying himself shall grant the provisional bail to the petitioner for a period of two months, with condition that he will pay the remaining amount of Rs. 2,00,000/- to the complainant within a period of two months period and only after complete payment of Rs. 4,00,000/-, the bail bonds of the petitioner shall be confirmed and the parties and the parties after the transaction shall also try to get the matter settled.

With the above observation, this application is disposed of .

(Vinod Kumar Sinha, J)

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