

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26742 of 2018

Arising Out of PS.Case No. -736 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sanjay Kumar S/o Birendra Prasad Singh Residents of Mohalla-
Indraspuri No.- 5A/51, P.S.- Patliputra, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. M/S Maa Shyama Sales and Services represented through its Proprietor
and Services registered Office at Opposite Radha Krishna Thakur Bari
Mandir, Belwarganj, P.S.- Kajekalan through its Proprietor Amit Kumar
aged about 32 Years R/o Lal Bhawan Begum Ki Haveli, P.S.- Kahjekalan,
Patna City, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Sections 420 of the Indian Penal Code
and Section 138 of the Negotiable Instrument Act.

Allegation has been made that there was an agreement
between the complainant and accused no.1 for supply of E-
rikshaw and for that an amount of Rs.5,60,000/- was given to
accused no.1 but E-rikshaw was not supplied. The money was
paid through cheque.

Learned counsel for the petitioner has submitted that



petitioner is only a witness. He is not the proprietor of the firm and he has no connection with the transaction.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Sanjay Kumar, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate VI, Patna City in connection with Complaint Case No. 736© of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for investigation or interrogation he will present himself before the police. In the event on being absent on two consecutive dates this order will be treated to have been withdrawn.

(Shivaji Pandey, J)

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