

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20581 of 2018

Arising Out of PS.Case No. -1810 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Bachchu Rai, Son of Ajab Lal Ray, Resident of Village-Shahpur Chandan, Police Station-Mahua in the District of Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. M/s Shrawasti Agrotech Pvt. Ltd. through its Leal Executive Mr. Ajay Kumar Singh, Resident of -306,307 Verma Complex, Boring Road Crossing, P.S.-Sri Krishnapuri, Dist.-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1810(C) of 2012 , registered for offences punishable under Section 420 of the Indian Penal Code.

Allegation against the petitioner as per the complaint petition is that the petitioner was dealt with in business of poultry farm with the complainant, who is running agro animal food products company, purchased food products from the company and Rs.1,52,430/- was due with him but he is not paying the money and one cheque was given to him but that cheque has also bounced.

Submission of the learned counsel for the petitioner is that the case is under Section 420 but no case is made out under Section 138 of the IPC and further submission is that there is



dispute between the partners.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Patna in connection with Complaint Case NO.1810(C) of 2012, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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