

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29671 of 2018

Arising Out of PS. Case No.-2606 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Sachidanand Jee @ Sachidanand Prasad, S/o Late Jagdish Prasad, Prop. of
M/S Alok Kunj, Main Bazar Bakhtiarapur, P.S.- Bakhtiarapur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ashok Kumar Sharma, S/o not known, Power attorney Holder of M/S Bajrang Lal Manoj Kumar, F-117, 118, Ketan Super Market, Birla Mandir Road, Sabzibagh, P.S.- Pirbahore, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No.2606(c) of 2016 registered under
Sections 406 and 420 of the Indian Penal Code.

The accusation is that the petitioner, who used to run
the retail shop of the cloth in the name of M/s. Alok Kunj, took
the cloth of Rs.1,07,939/- from the whole sale firm of the
complainant, namely, Ashok Kumar Sharma, but the petitioner
paid only Rs.24000/- out of the aforesaid amount. In spite of
repeated requests and legal notice, this petitioner did not pay the
remaining amount Rs.83,939/- to the complainant.



Learned counsel for the petitioner submits that the petitioner had taken the cloth prior to the year 2013 from the firm of the complainant and the amount of the cloth has already been paid by the petitioner to the complainant. In fact, later on, the petitioner left to take the cloth from the firm of the complainant and only to put undue pressure upon the petitioner, the complainant has lodged this false case so that the petitioner may continue again to take cloth from his firm. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Judge-XIII-cum-A.C.J.M., Patna, in connection with Complaint Case No.2606(c) of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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