

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8341 of 2019

Arising Out of PS. Case No.-946 Year-2017 Thana- KHAJANCHI HAT
District- Purnia

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Naresh Kumar Goyel @ Naresh Goyel, aged 48 years, Son of Jainarayan Goyel, Partner of M/s Om Surgical Industries having its registered office at 7.7 KM Stone, At and P.O.- Titoli, Jind Road, Police Station- Rohtak, District- Rohtak (Haryana).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeeva Roy, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409 and 420 of the Indian Penal Code registered in connection with K. Hat P.S. Case No. 946 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the entire accusation against the petitioner, who is a partner of M/s Om Surgical Industries, have been made out of misconception. The orders for supply of goods in question was never placed to the petitioner nor the amount mentioned ever paid to the petitioner rather payment against supply was made to Venus Life Sciences Limited. Such amounts have since been repaid by the said Venus Life Sciences Limited as evident from the letter of the Civil Surgeon-cum-Member Secretary, District Health Society, Purnea in terms of memo no. 1052 dated 30.08.2018 (Annexure-3). The petitioner claims clean antecedents.



4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 946 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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