

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11801 of 2019**

Arising Out of PS. Case No.-1715 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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ASHUTOSH KUMAR son of Ram Binod Rai, resident of Village- Harijan Chhapra, P.S.- Muffasil, District- East Champaran.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Baliram Sigh, son of Late Rajo Singh, resident of Village Mananpur, P.S. Kalyanpur, District- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 1715/2017, disclosing offences under Sections 323, 341, 506, 406, 420, 468, 471 and 120(B) of the Indian Penal Code.

Petitioner happens to be the agent of Verge International Product Marketing Pvt. Ltd., and allegation against him is that he introduced the petitioner to the CEO-cum-Director of the said company, who assured the complainant to give franchise of Ghar Pe Bazar and took Rs. 11 lakhs but the franchise was not given to the complainant and after much persuasion, the said co-accused, who is the CEO-cum-Director of the company issued two cheques each of Rs. Five Lakhs, which were dishonored on presentation before the bank with the note “ insufficient fund”.

Submission of learned counsel for the petitioner is that he



only an agent of the company and except the allegation that he introduced the complainant to co-accused, there is absolutely nothing against the petitioner and even the agreement has been entered into between the co-accused and the petitioner and the cheques, which were dishonored were issued by the co-accused and not by the petitioner.

Heard learned A.P.P. as well as learned counsel for the complainant. They have opposed the prayer for grant of pre arrest bail and submitted that petitioner in collusion with other accused person of this case has cheated the complainant.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -XIV, Motihari, District – East Champaran, in connection with Complaint Case No. 1715/2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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