

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15518 of 2019

Arising Out of PS. Case No.-187 Year-2016 Thana- JHAJHA District- Jamui *

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Dharam Kishore Prasad @ Dharma Kishore Sinha son of Late Rajendra Prasad, Resident of Village - Khairma, Post. and P.S.- Khairma, Distt.- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Onkar Prasad Barnwal Son of late Damodar Prasad Barnwal, Resident of Village - Gandhi Chowk Purani Bazar Jhajha, Proprietor Maa Sara Agency Gandhi chowk, Purani Bazar Jhajha, P.S.- Jhajha, Distt.- Jamui.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-03-2019 Heard both sides.

The petitioner apprehends his arrest in Jhajha P.S.
Case No.187 of 2016 registered under Sections 420, 467, 468,
406, 386, 120B and 34 of the Indian Penal Code.

The informant filed the complaint case on the basis of which the present F.I.R. was lodged. The gist of the allegation is that the informant made allegation against the petitioner that the petitioner persuaded the informant to take agency of Sri Sai Oil Products, Delhi. The petitioner being a sale representative of the company persuaded the informant for taking agency but thereafter the informant himself entered into an agreement with the company for selling the products of the company. The



petitioner did not receive any money. The security money was received by the company and the goods were sent to the informant but the informant on the pretext of supply of substandard goods did not receive the goods and demanded money for which the dispute arose between the company and the informant. No cheque was issued by the petitioner.

Having considered the facts and the nature of allegation made against the petitioner and the fact that the petitioner being a sale representative of the company only persuaded the informant to take agency of the company, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jamui in connection with Jhajha P.S. Case No.187 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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