

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23142 of 2019

Arising Out of PS. Case No.-490 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SANTOSH KUMAR Son of Late Nanhak Mahto Resident of House No. 212,
Mouar Lane, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anil Kumar Singh Son of Late Dheeraj Narayan Singh Director Dheeraj
Herbs Pvt. Ltd., Anand Bazar, Danapur Cant, P.S.- Danapur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vikash Kumar Pankaj
For the State	:	Mr.Mohammed Arif
For the OP No. 2	:	None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 406/420/504/120B IPC registered in connection with
Complaint Case No. 490(c)/2018.

3. It is submitted that the petitioner has been falsely implicated
on the accusation that the petitioner received ayurvedic medicines
from the complainant, who is the Director of M/s Dheeraj Herbs Pvt.
Ltd. since 2013 and no payment has been made and the complainant's
company has suffered a loss of Rs.15.00 lakhs. It is submitted on the
contrary that the complainant owes a sum of Rs. 1,34,921/- to the
petitioner as payment for supplies etc. In any event, the transaction
between the parties is purely of civil nature and there is considerable
delay in filing the complaint for dues of money claimed to be
outstanding against the petitioner from the year 2013. The petitioner
claims clean antecedents.

4. Despite appearance having been entered by the complainant



suo motu none is present on his behalf to oppose the anticipatory bail petition when the matter is called.

5. 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 ACJM V, Danapur, in connection with Complaint Case No. 490(c)/2018 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. 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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