

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40097 of 2019

Arising Out of PS. Case No.-287 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Shyam Kishore Singh aged about 42 years Male Son of Awdhesh Kumar Singh @ Tuna Singh, Resident of Village-Bahari Damodar, P.S.-Jandaha, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar Singh, Advocate
For the State	:	Mr. Ajay Kumar, APP
For the Complainant	:	Mr. Apurva Kumar, Mr. Avinash Chandra, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-08-2019 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 and 420/34 of the Indian Penal Code registered in connection with Complaint Case No. 287 of 2018, Trial No. 2069 of 2018.

3. It is submitted that the petitioner has been falsely implicated as he is merely an agent of Weird Industries Limited. It is not in dispute that the petitioner had deposited an amount of Rs. 1,08,000/- received from the complainant with the said Company which had issued product booking statement (Annexure-3). The petitioner is not liable for default made by the Company in repayment of the amount upon maturity. The petitioner claims clean antecedents.

4. Learned counsel for the complainant appears and has been heard.

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 Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 287 of 2018, Trial No. 2069 of 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) 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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