

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41822 of 2019**

Arising Out of PS. Case No.-200 Year-2017 Thana- GANDHIMAIDAN
District- Patna

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SUMAN KUMAR SINGH Son of Sri Amar Prasad Singh Resident of Village -
Madhya Tola, Panchgachhiya, ward N0.11, P.S.- Bihra, dist.- Saharsa.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Ashok Kumar Singh Son of Shri Dharmraj singh Resident of Village -
Shanti Kunj, Ashok Vihar, Bhawan, P.S.- Alamganj, Dist.- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate.
For the Informant : Mr. Kuber Pathak, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-07-2019 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, 420, 387, 468/34 of the Indian Penal
Code registered in connection with Gandhi Maidan P.S. Case
No. 200 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the dispute between the parties is essentially of
civil nature and merely a matter of accounting in respect of
business transaction under an agreement dated 10.10.2016 in
terms of which cattle and poultry feeds was supplied by the
informant to the petitioner. It is submitted that an amount of



Rs. 21,85,600/- has been paid by the petitioner but there is dispute with regard to quality of goods supplied by the informant. The petitioner claims clean antecedents.

4. Learned App assisted by learned counsel for the informant 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 Sri Ashok Kumar Singh, learned Judicial Magistrate 1st Class, Patna in connection with Gandhi Maidan P.S. Case No. 200 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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