

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41005 of 2019

Arising Out of PS. Case No.-3687 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

SATYA PRAKASH, Male, aged about 40 years, Son of Shri Girish Pandey
Resident of Village-Chintaman Bigha, P.O-Narendra Khap, P.S-Kutumba,
District-Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anuj Sharma Proprietor M/S B.N. Sharma, Kailash Plaza, St Joseph Prep
School Lane, P.S-Pirbahore, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-07-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.3687(C) of 2013 registered under Sections 418 and 406
of the Indian Penal Code.

The complainant alleged that the petitioner being
Medical Representative of the company supplied medicines to
M/s Kesri Drug Agency and received money but did not give to
the company.

The learned counsel for the petitioner submits that the
petitioner is Medical Representative of the company and the
only duty of the petitioner is to place orders of drug agency
before the authorised persons of the company. The company
used to supply medicines to the customers and received money.



The petitioner did not receive any money from the M/S Kesri Drug Agency.

Learned counsel for the State submits that process under Section 82 Cr.P.C. has already been issued but it appears that there is no service report on record to show that petitioner received any summon or the police after issuance of non-bailable warrant submitted any report on non-bailable warrant.

Taking into consideration the facts aforesaid and the fact that being Medical Representative of the company petitioner was authorised only to place the order from the drug agency and not authorised to receive money from any drug agency, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge IX-cum-A.C.J.M., Patna in connection with Complaint Case No.3687(C) of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

