

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44580 of 2019

Arising Out of PS. Case No.-909 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

MANOJ KUMAR SINGH(Male) aged about 40 years, Son of Late Prem Kumar Rai Resident of Laheriaganj Ward No. 3, P.S.- and District-Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rajiv Kumar Singh Son of Late Ram Chandra Prasad Singh Prop. A.R. Enterprises Patna, Near Central School, P.S. Ram Krishna Nagar District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad Singh
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-07-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.909(c) of 2018 registered under Sections 406, 420 of the Indian Penal Code and under Section 138 of N.I.Act.

The complainant alleged that he supplied different articles worth Rs.13,08,853/- to the petitioner. The petitioner paid only Rs.1,74,000/- and Rs.11,34,853/- is lying due. It is further alleged that the petitioner handed over a cheque to the complainant for security. The complainant deposited the cheque handed over by the petitioner to him as security for encashment.

The learned counsel for the petitioner submits that the petitioner received supply of different articles and also paid the



amount to the complainant on different dates through R.T.G.S. and other modes of transaction. The complainant misused the cheque as the cheque was handed over to him for security and without giving information to the petitioner, the cheque was presented for encashment. It is further submitted that dispute is with regard to rendition of accounts and the petitioner is ready to pay the entire dues amount to the complainant after rendition of accounts.

Taking into consideration the facts aforesaid and the fact that dispute arose in business transaction and the petitioner is ready to pay the dues, if any, after rendition of accounts, 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 A.C.J.M. XIII, Patna in connection with Complaint Case No.909(c) of 2018, 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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