

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64818 of 2019

Arising Out of PS. Case No.-2755 Year-2011 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Susushant Methiya (PROPRIETOR of S And S Industries), Son of Anil Methiya Resident of Village - 33 Sri Ram Dhang road, P.S.- Malipachghora, Salika and Dist.- Howrah, Near Babudanga Monohar School, Kolkata, West Bengal, Pin- 711106 Office Add.- Proprietor of S and S Industries, 4/1 Guha Road, Ghusari Howrah, P.S.- Belur, Dist.- Howrah, West Bengal, Pin- 711107

... .. Petitioner

Versus

1. The State of Bihar
2. Sanjeev Kumar Singh, Son of Radha Mohan Singh, Resident of Village - Ibrahimpur, P.S.- Paharpur, Dist.- East Champaran, Presently - R/O Vill.- Ajarwa, P.S.- Motihari town, Dist.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-10-2019 This is an application for grant of anticipatory bail in connection with Trial No. 884 of 2018, arising out of Complaint Case No. 2755 of 2011, disclosing offences under Sections 417, 406 and 422 of the Indian Penal Code.

As per F.I.R. petitioner agreed to supply three road roller and Hot Mixing Plant, for which, petitioner was paid Rs.4,83,000/-, but the petitioner has supplied only one road roller Hot Mixing Plant and those also some technical defects arise, for which, the complainant has demanded back his money, but the petitioner is not ready to return the money. It is



further appears that process under Section 82 has already been exhausted against the petitioner.

Submission of the learned counsel for the petitioner is that without any service report of the warrant, the petitioner has been declared absconder in this case. He is still ready to return the amount before the court below subject to final decision of the case.

Heard learned A.P.P. also who has opposed the prayer for bail.

Having heard both sides, in view of the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender and pray for regular bail, the same shall be considered by the learned court below on the basis of above offer made by the petitioner and will dispose of the prayer for bail, if possible on the same day.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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