

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1378 of 2020

Arising Out of PS. Case No.-122 Year-2014 Thana- AURANGABAD TOWN District-
Aurangabad

Subhash Kumar Ishwar Son of Sri Ramakant Ishwar Resident of Village -
Bharaul, P.S.- Bachhawara, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Aurangabad Nagar P.S. Case No. 122 of 2014 registered for the
offences punishable under Sections 406, 408 of the Indian Penal
Code.

The prosecution case is that M/s Torque
Pharmaceuticals Pvt. Ltd. entered into a contract with District
Health Society, Aurangabad to supply medicines and the said
company received cheque of Rs. 13,03,259/- in the year 2014
but the above stated company neither supplied the medicines
nor returned the aforesaid amount.

So far as petitioner is concerned, the name of



petitioner came in course of investigation and it was detected that he was authorized by the company to sign and receive documents on behalf of the company.

Learned counsel of the petitioner submits that petitioner does not have any concern with the aforesaid company, except the above stated authorization. He further submits that petitioner is ready to deposit the amount in question with concerned department without admitting the prosecution case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Aurangabad Nagar P.S. Case No. 122 of 2014, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that petitioner shall deposit Rs. 13,03,259/- with District Health Society, Aurangabad through a demand draft prepared in the name of above stated



society within a month from today, failing which the learned court below shall cancel the bail granted to the petitioner. However, the aforesaid amount shall be subject to outcome of trial of Aurangabad Nagar P.S. Case No. 122 of 2014.

(Hemant Kumar Srivastava, J)

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