

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22219 of 2020

Arising Out of PS. Case No.-355 Year-2019 Thana- BISFI District- Madhubani

VIJAY KUMAR SHARMA Son of Chandra Sharma Resident of Village -
Bisfitole, P.S. - Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Ms. Saheen Begum, App

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-08-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Bisfi P.S. Case No. 355 of 2019, disclosing offences punishable under Sections 420,406,409 of the Indian Penal Code.

An Engineer of Bajaj Electrical Limited at Madhubani is the informant, who has alleged that the petitioner had worked for the Company as a contractor in 2015 and in that course supplies were made to the petitioner of huge quantity of article of the State Government. Allegedly, after completion of Government work, despite repeated reminder, he has refused to return the unutilized articles worth Rs. 25,22,741/-.

The petitioner is in custody since 19.01.2020.

Learned counsel appearing on behalf of the petitioner



has submitted that for the transaction of 2015, FIR has been registered in November, 2019 without any justification for delay.

It has been argued that most of the articles had been returned back to the Engineer at the site of the work and the rest had been returned by the petitioner to the Company. He has further submitted that as a matter of fact, some amount is due to be paid by the Company to the petitioner, which has not been paid and the present case has been lodged just to harass the petitioner. He has also argued that only sum of Rs. 2,21,000/- is due on the petitioner as is evident from the letter dated 27.6.2020, a copy of which has been brought on record by way of Annexure-2 to the application. He has further argued that the petitioner is ready to settle the amounting and whatever amount is found legally due, he will pay the same.

Considering the above submission made on behalf of the petitioner and the fact that for the transaction of 2015, the FIR has been registered in 2019, this application is allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Benipatti,



Madhubani in Bisfi P.S. Case No. 355 of 2019.

(Chakradhari Sharan Singh, J)

Pawan/-

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