

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81588 of 2019

Arising Out of PS. Case No.-2444 Year-2016 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ravi Prabhakar, S/o Madhusudan Prasad Singh, R/o Mohalla- Teja Tola near
Lattu Chauhan Temple, P.S.- Katihar Sahayak, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rama Hardware Jawaharlal Road, Police Station- Nagar, District-
Muzaffarpur, through Renu Agrawal, Proprietor Rama Hardware Jawahalal
Road, Police Station- Nagar, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 01-07-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with
Complaint Case No. 2444(C) of 2016, registered under Section 406
of the Indian Penal Code.

The accusation is that complainant, Renu Agrawal, is
running the wholesale business of paint in the name of M/S Rama
Hardware at Jawaharlal Road, Muzaffarpur. The petitioner being the
railway contractor approached to the complainant for supply of paint
for painting in the constructed building of Muzaffarpur Railway
Station and paid Rs.1,00,000/- on 19.03.2015. Thereafter, paint was
being supplied and accordingly, the money was paid but after



08.02.2016, payment was stopped by the petitioner. After calculation, total amount of Rs.1,55,172/- has been due against the petitioner but petitioner did not pay aforesaid money in spite of much request and also giving threatening of dire consequences.

Learned counsel for the petitioner submits that admittedly, paint was being supplied by the complainant to the petitioner and he made regular payment and lastly on 27.05.2015, petitioner paid Rs.3,50,000/- to the complainant. In fact, petitioner is ready to pay remaining amount to the informant against supply of the paint on proper accounting. Further submission is that the dispute is of civil in nature.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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-XIII, Muzaffarpur, in connection with Complaint Case No. 2444(C) of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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