

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36084 of 2020

Arising Out of PS. Case No.-334 Year-2019 Thana- PARSA District- Saran

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MANOJ KUMAR SON OF JAI RAM CHOUDHARY RESIDENT OF
MOHALLA UMESH CINEMA ROAD, HAJIPUR, POLICE STATION -
HAJIPUR, DISTRICT - VAISHALI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv.
: Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr. Khurshid Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Parsa P.S. Case No. 334/2019
instituted for the offences under Sections 420, 406 and 504
of the Indian Penal Code.

The accusation in the F.I.R. is that despite the
informant having completed the centering work in the
construction, he was not paid his dues.

Learned counsel for the petitioner has submitted
that pursuant to an agreement between the parties, the
petitioner was required to pay an amount of Rs. 4,50,000/-



towards the work done by the informant. That amount has been paid. However while looking at the accounts, the court below did not accept the factum of payment of the balance amount of Rs. 70,000/- because it was not countersigned by the parties.

Learned counsel for the petitioner has submitted that the balance amount of Rs. 70,000/- was paid by Gangotri Enterprises Ltd. which payment has been made on behalf of the petitioner. Apart from this, it has been submitted that if at all there is a dispute between the parties, it is only with respect to accounting and therefore no criminal offence can at all be said to have been made out.

Considering the nature of accusation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -II, Saran at Chapra, in connection



with Parsa P.S. Case No. 334/2019, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashutosh Kumar, J)

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