

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34231 of 2015**

Arising Out of PS.Case No. -4562 Year- 2012 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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1. Deep Narayan Choudhary S/o Jagdish Choudhary  
2. Jyoti Kumari D/o Deep Narayan Choudhary Both Resident of Village  
Bhawanipur, P.S. Bhawanipur, District Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Md. Sajjad Alam S/o Sk. Rahman Resident of Village & P.S.  
Bhawanipur, District Purnea.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4      01-12-2015                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State assisted by the  
  
learned counsel for the complainant.

The petitioners are apprehending their arrest in C.A.  
  
Case No.4562 of 2012 for the offences under Sections 406, 420  
and 120(B) of the I.P.C.

The allegations made against these petitioners is that  
  
the petitioners along with one another had introduced the  
  
complainant along with others with unknown person as District  
  
Incharge of United Prathamik Vidyalay and petitioner Jyoti  
  
Kumari as Coordinator of the said institution to whom the

complainant to part with money for getting their employment in the school. It is further alleged that the complainant along with others were provided employment but they were not paid their wages.

Learned counsel for the petitioners submits that the petitioners have not received any amount from the complainant and others rather they had only informed the complainant along with others regarding the project of the Krishna Mission Sewa Siksha. He further submits that the money was deposited in favour of one Binor Kumar Mahaldar who happens to be the authority of the institution. He further submits that the petitioners have no criminal antecedent. He further submits that the story propounded by the complainant is not feasible.

Learned counsel for the complainant submits that the petitioners have cheated and defrauded the complainant along with others. He further submits that such practice of alluring innocent persons and defrauding them is very much prevalent in the village and such persons should not be let off scot free.

Learned counsel for the petitioners submits that the present complaint case has been lodged after 3½ years of the occurrence of taking money for providing job and the entire factum of the occurrence has been narrated in the complaint case which has been lodged after lapse of years together only to show

bonifide on the part of the complainant.

Considering the allegation made against these petitioners and the story as countered by the complainant and further more the petitioners have no criminal antecedent, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri R.K.Sinha,J.M.1<sup>st</sup> Class, Purnea, in C.A. Case No.4562/12.

**(Anjana Mishra, J)**

AnilKrSinha/-

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