

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43294 of 2014

Arising Out of PS.Case No. -333 Year- 2013 Thana -JAMUI District- JAMUI

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1. Nilabh Prasoon Son of Sri Ranjit Singh, Board of Director, Ways Development and Consultancy Pvt, Ltd. First Floor, Shiv Shankar Complex, Ashiana Road, Patna-800014.
 2. Abhishek Kumar Sinha Son of Ashok Sinha Branch Manager, Ways Development and Consultancy Pvt, Ltd., Krishna Market, 2nd Floor, Jamui (Near Bank of Baroda Jamui Branch), P.S. AND District-Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Devbrat Kumar Son of Late Sakaldeo Kumar Resident of Village-Khukhat, P.O. AND P.S.-Sikandara, District-Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Jamui P.S. Case No. 333 of 2013 registered for the offences punishable under Sections 420, 467, 406, 468, 471 and 120B/34 the Indian Penal Code.

Learned counsel for the petitioners submits that the entire dispute arises on the point of extra remuneration by way of incentives, issued to the employees of one company, named & styled as Ways, Development and Consultancy Pvt. Ltd. It is further submitted that the complainant in his complaint, alleged



that he had done the business of 19 lacs and the amount was deposited with petitioner no. 2 and the receipt was also handed over. It is further alleged that since the target has been achieved by the complainant, he was entitled for Rs. 40, 000/- as gift and further he was also entitled to Rs. 10,000/- per month by way of conveyance allowance. It is further alleged that such amount have not been paid despite the fact that the target was achieved. The complainant became entitled to receive the incentive amount, however, the same was denied by the petitioner Nos. 1 and 2, who were the director and the Branch Manager of Ways Development and Consultancy Ltd. It is further submitted that if, such a dispute has arisen; it was well available to the complainant to put such dispute before other employees, as the same could have been resolved by means of negotiation. It is further submitted that at best, the present dispute constitutes a civil dispute and the present prosecution is, wholly, uncalled for.

Considering the aforesaid facts and circumstances of the case and the nature of allegation, levelled against the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jumai in connection with Jamui P.S. Case No. 333 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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