

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50410 of 2014

Arising Out of PS.Case No. -1448 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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Shah Md. Ali @ Mohammad Ali son of Late Baharuddin, Resident of
Jhirwa Madarganj, P.S. Simraha, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Soukat Ansari, Son of Late Gaisul Ansari, Resident of village –
Purwari, Jhiruwa, P.S. Simraha, District – Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Anuradha Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03/ 06-08-2015

Heard learned counsels for the petitioner

and the State.

The petitioner being Up-Mukhiya of the Gram Panchayat is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 379, 384, 420, 120B and 504/34 of the Indian Penal Code.

The prosecution case is that the complainant being a labour worked under the MANREGA scheme but he was not paid his wages and similar is the situation with regard to other labourers when account of the complainant

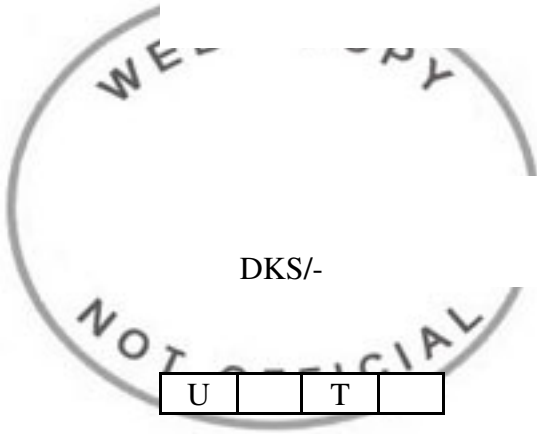
was not opened in the bank as the Panchayat Rojgar Sewak and Ward Member used to demand Rs.5,000/- from each labourers and on protest being made the complainant was abused and driven out.

It is submitted by learned counsel for the petitioner that there is nothing on the record to suggest that the payments have not been made and certain documents were produced before the learned court below to suggest that the labourers who worked under the scheme were paid their wages.

Notices were issued to opposite party no. 2-complainant vide order dated 14.05.2015 and the complainant had entered appearance but none is appearing today on behalf of the complainant.

Considering the nature of accusation which based on disputed facts and the accusation being ventilated through delayed complaint, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Araria in connection with Complaint Case No. 1448C of 2013,

subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.



(Dinesh Kumar Singh, J)

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