

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39463 of 2015

Arising out of PS.Case No. -54 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

Abhishekh Pathak, son of Ramjee Pathak, resident of Village - Brahamin Tola (Gopali Chowk), P.S. Ara Town, District - Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Jee Mishra, Advocate.

For the Opposite Party : Mr. Rajendra Nath Jha (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Ara Town P.S. Case No. 54 of 2015 for the offences instituted under Sections 420, 379, 504 and 323/34 of the IPC.

The prosecution story, in brief, is that on assurance of providing service into the Railway Department to the three brothers of the informant altogether Rs. 12,96,000/- was paid and thereafter the petitioners have provided service at the post of Porter and they were also asked to get training from the Gateman.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the present case has been instituted on the basis of complaint

case under Section 156(3) of Cr. P.C. From perusal of the complaint case even it would appear that there is no allegation made against the petitioner. Other co-accused has been granted anticipatory bail by this Court vide Annexure-3 to the present application. Further from perusal of the Annexure-2 which is supervision report, it would appear that the case has been found to be false against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Ara Town P.S. Case No. 54/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)