

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32961 of 2013

Arising Out of PS.Case No. -398 Year- 2009 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Dinanath Singh S/O Late Suraj Singh, Resident Of Village- Chaita, P.S.- Pakri Dayal, District- East Champaran
 2. Sheo Kant Jha S/O Late Jagdish Jha, Resident Of Village- Jaiswalipatti, P.S.- Kotwa, District- East Champaran
 3. Bachcha Prasad Singh S/O Late Narad Singh, Resident Of Village- Dhrup Pakri, P.S.- Kalyanpur, District- East Champaran
 4. Braj Kishore Singh S/O Late Mahendra Singh, Resident Of Village- Gaundri, P.S.- Kalyanpur, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Gyaneshwar Pratap Singh, son of Late Rameshwar Pratap Narayan Singh, resident of Village-Keshariya, P.S. Keshariya, District-East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. B.M.P.Sinha (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 09-04-2015 The petitioners figured as accused in Complaint Case No.C-398 of 2009 (Tr. No.4793 of 2011) for the offences punishable under Sections 420 and 406 of the Indian Penal Code. Apprehending their arrest, the petitioners filed ABP No.406 of 2013 before the Sessions Judge, Motihari. The same was rejected on 06.04.2013 . Hence, this application for grant of anticipatory bail under Section 438 Cr. P.C.

Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are the employees of the Bank. A

complaint was submitted against them that they demanded a sum of Rs.100/- per hectare for processing the insurance claim.

This Court has perused the complaint petition as well as the order passed by the Trial Court. Even if the allegation against the petitioners is taken to be true, their arrest is not warranted. The investigation can go on without arresting them and whenever their cooperation is needed, it can be taken.

Therefore, the application is allowed. In the event of arrest, the petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Complaint Case No.C-398 of 2009 (Tr. No.4793 of 2011).

(L. Narasimha Reddy, CJ)

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