

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51959 of 2014**

Arising Out of PS.Case No. -104 Year- 2014 Thana -PAKRIDAYAL District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Raja Ram Prasad, son of Late Dheodeni Prasad
  2. Prem Shankar Prasad, son of Raja Ram Prasad
- Both are resident of Village-Sirha Kothi, P.S.-Pakri Dayal, District-  
East Champaran at Motihari.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Vibhakar Kumar, Advocate

For the Opposite Party : Mr. Sadanand Paswan, Spl. PP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

**ORAL ORDER**

2      05-01-2015

Heard both sides.

The petitioners, Raja Ram Prasad and Prem Shankar Prasad, apprehend their arrest in Pakri Dayal P.S. Case No.104 of 2014, registered under Section 406 and other sections of the Indian Penal Code and under Section 3(i)(x) and 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant filed complaint petition alleging therein that the petitioners took him and others for employment to NOIDA on assurance to pay Rs.5,000/- per month as wages and Rs.500/- in a week for fooding. It is alleged that Rs.60,080/- is lying due in wages and Rs.1,63,987/- in fooding, but the accused did not pay their dues.

Learned counsel for the petitioners submits that the allegations are false. The bill was prepared in the name of the

father of the complainant. The petitioners did not receive any amount and if there is any dispute with regard to payment of wages, the complainant may file suit for recovery of amount.

Learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail.

Perused the record.

It appears that the complainant made allegation of non-payment of their bills and other labour wages, on account of which, the present case has been filed.

Considering the facts and the nature of allegations, the prayer for anticipatory bail is allowed.

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, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sikrahana at Motihari at East Champaran in connection with Pakri Dayal P.S. Case No.104 of 2014, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Pawan/-

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