

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9559 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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Raghav Verma Son of Late Motichand resident of village - Pakari Bishauli,
Police Station - Gaunaha, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 16-11-2016 Heard the learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

On the basis of the informant Brajesh Kumar Singh, a
prosecution case has been lodged against four persons, namely,
Sunil Tiwary, Raghav Verma, Pradeep Kumar and Chandrika
Kushwaha, who were working as Munshi under the informant.
The allegation is that a sum of Rs. 30,00,000/- was given to them
by the informant for sending the money for his treatment in Delhi.
It has been alleged that the four accused persons including the
petitioner has misappropriated the said amount. The matter was
pending before the Mediation Centre of the High Court, Patna and
a report has been received on 18.04.2016 from the Mediator that
the dispute between the parties could not be resolved. Hence,

mediation has failed. The petitioner was granted provisional bail for three months on furnishing bail bonds and sureties by order dated 01.03.2016 which was further extended for further three months by order dated 22.06.2016.

It has been submitted by the learned counsel for the informant that the misappropriated money has not yet been paid by the petitioner and the other co-accused.

On the other hand, learned counsel for the petitioner submits that he had demanded his salary from the informant and hence, as a retaliatory measure the present case has been lodged. He has filed a Complaint Case No. 2059 of 2015 on 07.09.2015 against the informant and others before the learned Chief Judicial Magistrate, Bettiah levelling accusation under Sections 323, 342, 379, 504 and 506 of the Indian Penal Code which is pending for enquiry. On similar allegation in the case of other three accused, namely, Sunil Tiwary, Pradeep Kumar @ Pradeep Kumar and Chandrika Prasad Kushwaha @ Chandrika Kushwaha, a coordinate Bench of this Court in Criminal Miscellaneous No. 9275 of 2016 has rejected the anticipatory bail application. The petitioner was in custody since 12.01.2016. A provisional bail was granted by this Court on 01.03.2016 for three months which was later extended on 22.06.2016 for a further period of three months.

No prayer has been made by the petitioner in the meantime for extending the period of provisional bail nor the petitioner has surrendered before the learned court below.

Under such circumstances and considering the nature of accusation, this application is dismissed.

(Nilu Agrawal, J)

Vats/-

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