

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38168 of 2016

Arising Out of PS.Case No. -635 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

=====

Arun Kumar Son of: Surendra Prasad Resident of Mohalla- Kotha Toli
(Near Babu Ka Fatak) P.S. Sasaram Town, District Rothas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar
2. Shakuntla Kumari @ Sakuntala Kuer, Wife of late Ram Ekbal Prasad
Resident of Mohalla- Barah, Pathar, PS Dehari, District Rohtas.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Ramesh Chandra

Mr. Ashok Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-09-2016 Heard Sri Dudh Nath Singh, learned counsel for the
petitioner, Sri Ramesh Chandra, learned Addl. Public Prosecutor
as well as Sri Ashok Kumar Pandey, learned counsel for the
complainant/opposite party no. 2, who has voluntarily appeared.

The sole petitioner, apprehending his arrest in
Complaint Case No. 635 of 2014 filed for offence under Sections
334, 457, 468, 406, 354 of the Indian Penal Code, has prayed for
grant of bail in the event of his arrest or surrender.

Learned counsel for the petitioner, by way of referring
to Annexure – 2 & 3 to the petition, submits that the present
complaint was got filed by one Mira Kumari, who is close relative



of the complainant of the present case. There was dispute that Mira Kumari, who was at the relevant time, posted in the concerned police station and as such, despite the fact that Mira Kumari had committed fraud with the father of the petitioner, no complaint was entertained in the police station. Thereafter, the father of the petitioner sent a complaint to the Superintendent of Police, vide **Annexure – 2** to the present petition, even then, no action was taken. Then, a complaint was filed in the court of learned Chief Judicial Magistrate by father of the petitioner. He submits that the present case has falsely been filed against the petitioner. The petitioner is a L.I.C. agent and the case has been concocted that despite the fact that petitioner had received premium amount for depositing the same in the L.I.C. office, he had not deposited the same nor handed over any receipt.

Learned Addl. Public Prosecutor as well as learned counsel for the complainant have opposed the prayer for grant of anticipatory bail.

However, considering the facts and circumstances, the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Arun

Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate - 10, Sasaram, Rohtas in connection with Complaint Case No. 635 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

Anay

U		T	
---	--	---	--