

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8799 of 2016

Arising Out of PS.Case No. -751 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Rajeev Kumar son of Shri Shailendra Prasad Singh, Resident of Village
& Post: Kishanpur Yusuf, Police Station: Sarairanjan, District: Samastipur
[BIHAR].

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjeevani Vikash Foundation through Akhilesh Kumar Akhil Son of
Late Bhuvaneshwar Prasad Singh, resident of Mohalla- Mahatma Gandhi
Nagar, behind Punjab National Bank, P.S.: Agamkuan, District: Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Lalan Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 24-02-2016 Learned counsel for the petitioner is permitted to make
necessary correction in the petition, as prayed for.

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case
in which process has been directed to be issued after cognizance
being taken for the offences punishable under Section 406 of the
Indian Penal Code.

The prosecution case, as per the complaint, is that the
complainant Akhilesh Kumar Akhil being the Chairman of an
NGO namely Sanjivani Vikas Foundation was assigned the work
of Coordinator and business correspondent by Samastipur Gramin

Bank for increase of banking business. For the said work the petitioner was appointed as Block Coordinator by the complainant and was given 90 scanners, out of which 40 were sold by the petitioner and rest have been destroyed.

It is submitted by the learned counsel for the petitioner that the petitioner joined the organization of the complainant and set up 75 consumer service points in different places in the district of Samastipur and raised bill of Rs.11,25,000/- but in spite of repeated demand only twenty five thousand rupees were paid to the petitioner. Thereafter the petitioner filed Complaint Case No. 1278 of 2012 on 16.7.2012 against the Chairman and District Coordinator of the aforementioned company, hence the present case has been lodged to put pressure upon the petitioner and others. The matter with regard to non-payment of contractual dues has also been agitated in a writ application before this court though filed by some other similarly situated persons.

Considering the accusation arising out of contractual relationship between the parties coupled with the statement in paragraph 3 that though the petitioner is accused in one other case apart from the present one but he is on bail in the said case lodged by the complainant side, let the above named petitioner be

released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Patnacity, Patna in connection with Complaint Case No. 751C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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