

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3684 of 2016**

Complaint Case No. -897 Year- 2009 Thana -MUNGER COMPLAINT CASE District- MUNGER

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Pankaj Kumar, son of Upendra Mandal @ Upendra Singh

.... .... Petitioner/s

Versus

1. The State of Bihar

2. Nand Kishore Paswan, Son of Bishundeo Paswan,

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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

4      10-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 417,379,323, 504/34 of the Indian Penal Code.

Prosecution case is that the petitioner and others received Rs.1,10,000/- and Rs.55,000/- in different installments for providing employment to the complainant but neither the employment was provided nor the money was returned.

It is submitted by learned counsel for the petitioner that petitioner is in government service and employed outside the state and was not aware of the case. Moreover, there is no proof with regard to the payment made to the petitioner.

Considering the fact that processes under sections 82

and 83 of the Code of Criminal Procedure have been issued, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, keeping in view of the fact that the petitioner is working outside the state having no criminal antecedent and summons have never been served to him, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.897-C/2009, pending before the learned Judicial Magistrate, 1st Class, Munger.

With the above observation, this application is, accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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