

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33849 of 2016

Arising Out of PS.Case No. -251 Year- 2016 Thana -KATIHAR District- KATIHAR

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1. Kushal Bhaduri son of Surhid Kumar Bahduri Chairman cum Managing Director, National Jute Manufacturing Corporation Limited 4, N.S. Road, Kolkata-700001.
 2. Biswadas Dutta son of Late Beba Das Dutta Chief Executive Officer, National Jute Manufacturing Corporation Limited 4, N.S. Road, Kolkata-700001.
 3. Jai Prakash Singh son of Late Matbar Singh Chief Operating Officer R.B.H.M., Katihar under NJMC Ltd, Katihar (Bihar)
 4. Jay Prakash Roy son of Kedar Nath Roy Chief Operating Officer, Khardah/Kennison, North 24 Pargana (W.B.)

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumar Dharendra Pratap Singh, Advocate.

For the Opposite Party : Mr. Sri Arun Kumar Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

It has been pointed out by the learned counsel for the petitioners that although the name of petitioner no.1 is Kushal Bhaduri as is evident from the F.I.R. itself but in the impugned order, it has been typed as Kaushal Bhaduri and accordingly, correction had to been made in the name of petitioner no.1, in the present application. He seeks permission to correct the name of petitioner no.1 as Kushal Bhaduri.

Permission is accorded. Let the correction be

made during the course of the day.

Petitioners apprehend their arrest in connection with Katihar Town P.S. Case No. 251 of 2016 registered for offences punishable under Sections 406, 420 and 120B of the Indian Penal Code.

The prosecution case is that the petitioners are senior officials of National Jute Corporation Limited and the allegation is that in R.B.H.M., Katihar, which runs under the National Jute Corporation Limited, one M/s Rahul Enterprises, had given the work for operating the said R.B.H.M. unit at Katihar. The informant stated that he being an employee was not getting his salary, in connivance with the petitioners.

Learned counsel for the petitioners submits that they are senior officials of National Jute Manufacturing Corporation and the Chief Operating Officer at R.B.H.M., Katihar has written several letters to disburse the salary and deposit of P.F. with the Provident Fund Commissioner but on one pretext to other, the said M/s Rahul Enterprises is not making such deposit. He submits that two months prior to lodging of the present case, the Chief Operating Officer of R.B.H.M, petitioner no.3 lodged an F.I.R. against M/s Rahul Enterprises for non-deposit of salary, Provident Fund and other irregularity. He submits that being

senior officials of the said government organization, National Jute Manufacturing Corporation Limited, they have been implicated falsely. He submits that the petitioners have clean antecedent as is evident from para-3 of this application.

However, learned A.P.P. for the State submits that the petitioners are named in the F.I.R. Hence, opposes the prayer for bail.

Be that as it may, since the petitioners are senior officials of the National Jute Manufacturing Corporation Limited and F.I.R. has been lodged by the employee of its R.B.H.M. unit for non-receiving of the salary for which the said M/s Rahul Enterprises is liable, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 251 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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