

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27237 of 2016

Arising out of PS.Case No. -462 Year- 2013 Thana -MAJHAULIA District- WEST
CHAMPARAN(BETTIAH)

Chunchun Pandey @ Chunnu Pandey, S/o Ram Padarath Pandey, r/o village
Belwa, P.S Turkauliya, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Patanjali Rishi, Advocate.

For the Opposite Party : Mr. Sri Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Majhauria P.S. Case No. 462 of 2013 for the offences
instituted under Sections 406 and 420 of the IPC.

The prosecution story, in brief, is that the petitioner who
was driving the private vehicle of the S.H.O. of Majhauria P.S.
asked for Rs. 1,00,000/- from the informant to get the son of the
informant employed in the police service in the sixth month of
2011 and also told that he would return the money if the son of the
informant did not get the job. Being taken into faith the informant
allegedly paid the petitioner Rs. 75,000/- in front of one Narad



Singh of his own village. When the son of the informant did not get the job the informant allegedly asked for his money and also repaid him Rs. 10,000/- in front of the S.H.O. Kamakhya Singh and also undertook the repay Rs. 65,000/- within one month from then but since then the informant allegedly ran to him for more than fifty times but the petitioner allegedly did not give him the money. The informant then lodged the case.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He happened to be the private driver of the then S.H.O. of Majhaulia police station. There was certain dispute in respect to wages of the petitioner. For the said reason the S.H.O. got the petitioner falsely implicated in the present case. The petitioner himself was the private employee and the question of getting a government employment to the others do not arise. The alleged occurrence is said to have taken place in the year 2011 but the F.I.R. was instituted in the year 2013 for which no explanation has been made on behalf of the prosecution.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period

of six weeks from today in connection with Majhaulia P.S. Case No. 462/2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)