

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44380 of 2016

Arising Out of PS.Case No. -735 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Kanhaiya Lal Tanti, Son of Late Ishwar Tanti, resident of Village-
Maheshamunda, Police Station- Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bablu Tanti, Son of Shiv Narayan Tanti, resident of Village-
Maheshamunda, Police Station- Kahalgaon, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-10-2016 Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.735 of 2014 registered under Sections 323,
341, 379, 380, 506, 406 and 420/34 of the Indian Penal Code.

The accusation is that the petitioner informed the
informant and other villagers that he is contractor in Aprajita
Company at Gurgaon and if 10-20 boys will go with him, he will
keep them under him as Daily Wages Mazdoor and they will get
handsome payment there. Accordingly, the complainant and 15
other villagers went with the petitioner at Gurgaon and did their



job and get salary as Daily Wages Mazdoor. Later on, the petitioner asked the complainant and others, now, the monthly payment will be made and they will be confirmed as employees of the Company. Accordingly, the complainant and others put their signatures on the Attendance Register for about four months but no payment was made to them and, ultimately, the complainant and others came at the stage of starvation and moved from there.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the complainant and others had gone to do the work under the contractor ship of the petitioner and payments were made to them till they were under the petitioner but, later on, they came under the control of the Company and the Company did not pay their remuneration due to financial crises and only to put undue pressure, the petitioner has falsely been implicated in this case. Moreover, the complainant has also filed a case bearing P.W. Labour Case No.11 of 2014 in the Labour Court, Bhagalpur, and the said case was dismissed due to non-pursuing the same by the complainant

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)

with two sureties of the like amount each to the satisfaction of the
Additional Chief Judicial Magistrate, Bhagalpur, in connection
with Complaint Case No.735 of 2014, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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