

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51526 of 2017

Arising Out of PS.Case No. -1001 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Mamta Modi, wife of Kishore Kumar Modi,
 2. Kishore Kumar Modi, son of Late G.P. Modi, Both are resident of Mohalla Arya Kumar Road, Modi Bhawan, Rajendra Nagar, P.S. Kadamkuan, District-Patna,
 3. Harish Chandra Kumar,
 4. Ravi Shankar Kumar, both are sons of Late Bishnu Deo Prasad, Resident of Mohalla L.I.G. 1/19, Hanuman Nagar, P.S. Kankarbagh, District-Patna.

.... Petitioners

Versus

1. The State of Bihar,
2. Mukesh Kumar, son of Om Prakash Prasad, Resident of Mohalla Mahabir Lane, Naya Gaon, Musallahpur, P.S. Pirbahore, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate,
Smt. Babita Kumari, Adv.

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 02-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case no. 1001 (C) of 2016, registered under Sections 323, 379 and 506 of the Indian Penal Code.

The accusation is that complainant was engaged by the petitioners and two others named in the Complaint petition as Manager in their Firm, namely, Aishwarya Sarees in the year 2012 on the payment of Rs. 15,000/- per month, while few month the salary was paid regularly to the complainant by the Firm, but after some times salary has become irregular while complainant was continued till 10.03.2016. On the festival of Holy, when complainant demanded his



due salary then all accused persons asked him to come on 20.03.2016, when complainant reached on 20.03.2016 for his salary then petitioners and other named in the complainant petition started humiliating him and caused assault and they obtained his signature on blank non judicial stamp and they also snatched his motorcycle.

Learned counsel for the petitioners submits that, in fact, informant was engaged as Manager in the Firm of the petitioner, but he misappropriated the cash and articles worth of Rs. 50 to 60 lakhs due to that reasons petitioner No.1 Mamta Modi lodged Hawaii Adda P.S. Case No. 51 of 2016 on 04.04.2016 under Sections 406 and 420 of the I.P.C. against the Complainant of the present case due to that reasons only to give undue pressure the present case has been lodged by the complainant.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Patna in connection with Complaint Case No. 1001 (C) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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