

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61371 of 2017

Arising Out of PS. Case No.-259 Year-2014 Thana- PAKRIDAYAL District- East Champaran

Sanjay Sah S/o Late Mohar Sah, R/o Village- Hushnabad (Hasanabad), P.S.-
Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.
For the State : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 The petitioner is apprehending arrest in a case registered for
the offences punishable under Sections
120B/420/323/406/504/506/34 of the Indian Penal Code.

Prosecution case got initiated with the filing of Complaint Case No.1162 (C) of 2012 by one Virendra Sah which ultimately got registered as Pakridayal P.S. Case No. 259 of 2014 on 04.11.2014, to the effect that co-accused Bindeshwar Sah is labour contractor and petitioner was the clerk of said Bindeshwar Sah and both used to hire the labourers to take them to Assam for brick-kiln work. They took the informant for brick-kiln work and on completion of work when the informant demanded money, then Rupees One Thousand was given to him, while it was promised by the accused persons that the balance amount would be given, when the accused would return back in July. Subsequently, the informant demanded money when the accused persons came to their native place in the month of October, but the informant was abused and threatened.



It is submitted by learned counsel for the petitioner that for the cause of action dated 27.10.2012, the complaint was filed on 22.12.2012 which subsequently came to be registered as police case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP appearing on behalf of the State that though the thrust of accusation is against Bindeshwar Sah, but this petitioner is working under said Bindeshwar Sah.

Considering the nature of accusation arising out of labour contract coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Motihari, East Champaran, in connection with Pakridayal P.S. Case No.259 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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