

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52989 of 2017

Arising Out of PS.Case No. -274 Year- 2017 Thana -KANTI
District- MUZAFFARPUR

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Anil Choudhary, Son of Late Brajnandan Choudhary, Resident of Village-
Bhatauliya, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 467,468,406
and 120(B) of the Indian Penal Code.

It is alleged in the FIR that one Vivek Kumar
proprietor as well as Manager Aman Kumar and Nutan Choudhary
set a pickle factory and registered the informant and other
villagers as worker and for such registration they collected some
amount from the woman of the village. Further allegation is that
after having taken work for 1 - 2 months without any payment
Manager, Proprietor and other workers of the factory fled away.
The informant alleges that the petitioner is Assistant Manager and



he has been apprehended by the villagers and handed over to the police.

Counsel for the petitioner submits that petitioner is also an employee of the said factory and he is also victim of misdeed along with the informant and other villagers. He further submits that he was arrested when he was visiting the said factory for having taken the current status of his remuneration. He also submits that prior to the instant case there is no criminal case pending against him and he is in jail custody since 14.07.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Muzaffarpur in Kanti P.S. Case No. 274 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not



be released on bail.

- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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