

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31380 of 2018

Arising Out of P.S.Case No. -168 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Mukesh Kumar @ Mathura Choudhary S/o Bhikham Choudhary, R/o
Pakki Bauli, P.S.- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 09-07-2018 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner is in custody in connection with
Bagaha P.S.Case No.168 of 2018 registered for an offence under
Section 370(2) of the IPC.

3. As per FIR, this petitioner was running orchestra and
he used to invite the girls from outside for performing dance in
orchestra. It is alleged that this petitioner organized three
programmes but he did not pay their wages.

4. It has been submitted that on the point of payment of
wages, the dancer had complained to the police. This case has been
lodged only for wages. The matter has been settled and the entire wages has been
paid to them. The police with ill motive has registered the present case



with false and frivolous allegation. The petitioner is in custody since 22.04.2018 having clean antecedent except one case registered under Sections 420, 406 and 504 of the IPC in which he is on bail.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10.000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-Ist, Bagaha, West Champaran in connection with Bagaha P.S. Case No.168 of 2018 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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