

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39265 of 2018**

Arising Out of Case No. -2382 Year- 2016 EAST CHAMPARAN COMPLAINT District-  
EASTCHAMPARAN(MOTIHARI)

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1. Arun Kumar Mishra S/o Late Gopi Kant Mishra, R/o Vill.- Pandaruch,  
P.S.- Kamtaul, District- Darbhanga, at present R/o Vill.- Pachpakri, P.S.-  
Dhaka, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Chunchun Jha S/o Late Harikant Jha, R/o Vill. + Post Telhara Kalan,  
P.S.- Kundwa Chainpur (Dhaka), District- East Champaran.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amrendra Narayan  
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**  
ORAL ORDER

4      20-07-2018

Heard both sides.

The petitioner apprehends his arrest in Complainant  
Case No. 2382 of 2016 registered for the offence allegedly  
committed by the petitioner under Sections 420, 323, 341 and 504  
of the Indian Penal Code.

The complainant alleged that the petitioner along  
with two other persons came to his residence and assured the  
complainant to provide job to his son. The complainant paid Rs.  
2,26,000/- in presence of witness to the petitioner. Petitioner is a  
Marketing Officer of Kundwa Chainpur. Prior to institution of this  
case, petitioner lodged Kundwa Chainpur P.S. No. 74 of 2016



under Section 409 and 420 of the IPC and under section 7 of the E.C. Act on 26.08.2016. The complainant filed this case only on 29.11.2016. It is further submitted that the money is said to have been transferred in the accounts of Anjali Shandilya and others but the petitioner had no knowledge about such transactions.

It appears that the complainant alleged that the petitioner on the pretext of providing job to his son took money from the complainant and the complainant also transferred money in the name of son and daughter of the petitioner but there is no chit of papers to show that the petitioner received any money from the complainant. Prior to institution of this complainant case the petitioner being Block Supply Officer lodged Kundwa Chainpur P.S. Case No. 74 of 2016 on 26.08.2016 under Section 409 and 420 of the IPC and under Section 7 of the E.C. Act.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran,



Motihari in connection with Complainant Case No. 2382 of 2016,  
subject to conditions as laid down under Section 438(2) of the  
Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/Rajan

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