

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12818 of 2019

Arising Out of PS. Case No.-346 Year-2016 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. Punam Devi W/o Hare Ram Pattak, D/o Satendra Mishra Vill.- Belhariya, Tola Bansh Bigha, P.S. Pouthu, District- Aurangabad, at present resident of Government House, Police Line, Asansoal, P.S. Asansoal, District - Bardwan, West Bengal.
 2. Satendra Mishra S/o Late Awadhesh Mishra Vill.- Belhariya Tola- Bansh Bigha, P. S.-Pouthu, District- Aurangabad, at Present R/M- Dudhani Chouk, back of Amar Cinema, P. S. Dumka Nagar, District- Dumka (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jay Niwas Sharma S/o Awadhesh Sharma Resident of village-Belhariya, P.S- Pouthu, Distt - Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-07-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 346 of 2016, filed for the offences under Sections 420, 406, 504, 506, 120B of the Indian Penal Code, however, the learned Court below took cognizance of the offences punishable under Sections 420 and 120B of the Indian Penal Code.

The allegation against the petitioners, in the complaint petition, is that they fully endorsed the statement of Mahendra



Mishra that his son, Neeraj Kumar Mishra, used to arrange employment on payment of amount.

Learned Counsel for the petitioners submits that in the entire complaint petition, there is no allegation of demand and acceptance by the petitioners and merely there is allegation that the petitioners only confirmed that Neeraj Kumar Mishra is competent to arrange a job on payment basis.

Learned Counsel for the complainant opposes the prayer and submits that the husband of the petitioner no. 1 is Sub-Inspector of Police, posted in Asansol and the petitioner no. 2, being father of petitioner no. 1, they all have conspired to extract money from the complainant and other with a promise to get a job.

After having heard learned Counsel for the parties and upon perusal of the complaint petition, it appears that there is no allegation of demand or acceptance of money by the petitioners, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Aurangabad, in connection with Complaint Case No. 346 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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