

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13233 of 2019

Arising Out of PS. Case No.-879 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Aditya Kumar Singh (Male), aged about 22 years, Son of Ram Chandra Singh
 2. Shakti Singh, Male, aged about 20 years, Son of Ram Chandra Singh
 3. Rajesh Singh, Male, aged about 33 years, Son of Amal Singh
All Resident of Village- Ranglalhi- Madhubani, P.s.- Dhanaha, District- West Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. Durga Singh @ Durga Yadav, Male, aged about 23 years, Son of Madan Yadav Resident of Village- Marichahwa, P.S.- Dhanha, District- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioners and

learned counsel for the informant. No one appears on behalf

of the State.

The petitioners are seeking anticipatory bail in connection with Tr. No. 3868 of 2018 arising out of Complaint Case No. 879 of 2018 registered under Sections 420, 406, 409, 467, 468, 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per the complaint petition the complainant claims that he



was introduced to one Ram Chandra Singh who was running Grahak Seva Kendra of S.B.I. in village. The said Ram Chandra Singh has demanded Rupees Three Lakhs from the complainant to provide him a permanent job in the said Grahak Sevak Kendra. The complainant is said to have given the money to the said Ram Chandra Singh but thereafter he did not get the job. When he demanded the money all the persons including the petitioners came at Grahak Seva Kendra and abused him and also took away of the machines including the cash of Rs. One Lakh.

Learned counsel for the petitioners submits that the dispute whatsoever is between the complainant and co-accused Ram Chandra Singh. It is submitted that father of petitioner no. 1 & 2 is Ram Chandra Singh who was running the Grahak Seva Kendra in which the complainant was a staff and was doing all the work for the last four years as Sub-Kiosk Operator. Due to non-cooperation of the S.B.I. father of petitioner nos. 1 & 2 resigned from his post and thereafter the complainant had withdrawn the amount deposited by the investors for which the father of petitioner nos. 1 & 2 filed a complaint petition against the present



complainant vide Annexure-2 to this application. Learned counsel for the petitioners submits that it is a case of false implication on these petitioners. It is submitted that cognizance in the case has been taken under Section 323, 420 and 504 of the Indian Penal Code in which only Section 420 I.P.C. is non-bailable and all the said sections are non-applicable against the present petitioners.

On the other hand, learned counsel for the complainant has opposed the prayer for anticipatory bail of the petitioners and submits that the learned Magistrate has found a prima facie case against the petitioners hence they did not deserve the privilege of anticipatory bail.

In view of the submissions that the dispute is between the complainant and Ram Chandra Singh and there is no allegation of giving any money to these petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – II, Bagaha,



District – West Champaran, in connection with Tr. No. 3868/2018 arising out of Complaint Case No. 879 of 2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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