

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22057 of 2019

Arising Out of PS. Case No.-313 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Kamlesh Dubey, S/o Chandradeo Dubey @ Chandra Dube, Resident of Jamunapur, P.S.-Laukariya, District-West Champaran, At present Narainapur, behind Central Bank,P.S-Bagaha Pakhauli, District-West Champaran.
 2. Madhuri Devi, W/o Kamlesh Dubey, Resident of Jamunapur, P.S.-Laukariya, District-West Champaran, At present Narainapur, behind Central Bank,P.S-Bagaha Pakhauli, District-West Champaran.
 3. Chandradeo Dubey @ Chandra Dube, S/o Late Bilas Dubey, Resident of Jamunapur, P.S.-Laukariya, District-West Champaran, At present Narainapur, behind Central Bank,P.S-Bagaha Pakhauli, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guljari Devi, W/o Lalbihari Mahto, Resident of Kunai, P.S-Laukariya, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 31-07-2019 This is an application for grant of anticipatory bail in connection with Trial No. 1315 of 2017, arising out of Complaint Case No. 313 of 2016, disclosing offence under Section 420 of IPC.

Allegation as per complaint petition is that petitioners have taken Rs.1,33,000/- in lieu of providing job in the School, but they have neither provided the job nor returned the money.

Submission of the learned counsel for the petitioners



is that it is the second round of litigation. As a matter of fact, earlier an F.I.R. was lodged in that case, but the police has not found the case true and a final form has been submitted by the police and after four months, the present case has again been filed. Further petitioner no.1 has also two more cases against him but he has only mentioned one case and that mistake is not intentional.

Heard learned A.P.P. as well as learned counsel appearing on behalf of opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that suppression of fact by the petitioner no.1 and the money is still due towards the petitioners.

Having heard both sides, in view of the allegations, so far as, petitioner no.1 is concerned, I am not inclined to grant privilege of anticipatory bail to him. However, he may surrender before the learned court below and make prayer for regular bail and, if possible to be disposed of on the same day.

So far as, petitioners no.2 and 3 are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned



A.C.J.M. 1st, Bagaha, West Champaran, in connection with rial
No. 1315 of 2017, arising out of Complaint Case No. 313 of
2016, subject to the condition laid down under Section 438(2) of
the Code of Criminal Procedure.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

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