

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35827 of 2019

Arising Out of PS. Case No.-582 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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SHAILESH KUMAR @ SHAILESH PRASAD, Son of Vidya Sagar Prasad
Resident of Mohalla - Tarababa, ward no. 11, P.S.- and Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey
For the Opposite Party/s : Mrs.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-09-2019 The petitioner apprehends his arrest in connection with

Gopalganj P. S. Case No. 582 of 2017 registered under Sections

406 and 420 of the Indian Penal Code.

Allegation against the petitioner, as per complaint-cum-FIR,
is that petitioner is owner of Ready Arabian Test Centre of which
one Md. Aslam is its agent. It has further been alleged that a sum
of Rs. 90,000/- was taken by the petitioner for the purpose of
sending the complainant/informant to Arabian Country for
employment but instead of sending him Arabian Country, he was
sent to Maldiv and within one week, he was deported from Maldiv.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in this case
inasmuch as from perusal of para-53 of the case diary, it would be
evident that complainant/informant had entered into an agreement



with the agent of the petitioner's Firm in which it has been mentioned that if the work for the period of 12 months is not provided to the complainant, a sum of Rs. 30,000/- would be returned accordingly, and as per agreement a sum of Rs. 30,000/- has already been returned by the agent of the petitioner's firm to the complainant, as would be evident from the statement made in para-53 of the case and in the FIR.

Having regard to the submissions made by the parties and taking into consideration the fact that complainant had entered into an agreement and as per agreement, a sum of Rs. 30,000/- has already been refunded to the complainant, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Gopalganj P.S.Case No. 582 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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