

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52787 of 2019

Arising Out of PS. Case No.-1042 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. AMRENDRA PASWAN S/o Late Saryug Manjhi Resident of Semara Tola Majhariya, P.S.- Chiriya, District- East Champaran
 2. Upendra Paswan S/o Rajan Paswan Resident of Semara Tola Majhariya, P.S.- Chiriya, District- East Champaran
 3. Nemu Paswan @ Nembhu Paswan S/o Rajan Paswan Resident of Semara Tola Majhariya, P.S.- Chiriya, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Yogendra Ram S/o Late Raghuni Ram R/o village- Baluwa Guwabari, P.S.- Kundawa Chainpur, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2019 Heard learned counsel for the parties.

This is application for grant of anticipatory bail in Complaint Case No. 1042 of 2018, which arises out of Tr. No.2133 of 2019, disclosing the offence under Section 328 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that for the occurrence alleged to have taken place in 2016, the complaint case has been filed in 2018, which is sufficient to indicate that the case of the prosecution is an afterthought. As



per the complaint petition, the complainant's son was taken by the accused persons to Delhi for some job. They did not pay the wages, which the complainant's son was entitled to. When a demand was made, they are said to have administered poison to him.

Learned counsel for the petitioners has submitted that because of some dispute over payment of wages, a false case has been registered.

Considering the nature of allegation, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, 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 the learned ACJM-5th, Motihari, East Champaran in Complaint Case No. 1042 of 2018, arising out of Tr.No.2133 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions,



their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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