

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55515 of 2019

Arising Out of PS. Case No.-389 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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PRAKASH KUSHWAHA @ PRAKASH KUMAR Son of Suresh Kushwaha
@ Suresh Bhagat Resident of Village - Ratanmala, Ward No. 33, P.S.-
Bagaha, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Ram Sagar Sahani Son of Banaur Sahani Resident of Village - Ratanmala,
Malahi Tola, Ward No. 34, P.S.- Bagaha, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case NO. 389 of 2018, disclosing offences under Sections 420,406,323,504/34 of the Indian Penal Code.

There is allegation against two accused persons including this petitioner that they duped the complainant of a sum of Rs. 1,50,000/- (One lakh fifty thousand) under false assurance of employment to the complainant in a foreign country.

Learned counsel appearing on behalf of the petitioner has referred to a complaint petition and has submitted that as per the complainant himself, the money was handed over to co-accused Sawan Kumar and not to



the petitioner and allegedly the petitioner had merely accompanied co-accused Sawan Kumar.

Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Bagaha, West Champaran in Complaint Case No. 389 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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