

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71248 of 2018

Arising Out of PS. Case No.-411 Year-2018 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Shiv Narayan Sharma, Son of Sri Ramrup Sharma, Resident of Village-
Tarwara Uttar Tola, Police- Station- G.B. Nagar Tarwara, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bhulan Manjhi, Son of Bishvnath Manjhi, Resident of Village + Post - office
- Pipra, Police Station- G.B. Nagar Tarwara, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a
complaint case wherein process has been directed to be issued
after cognizance being taken for the offences punishable under
Sections 420, 504 and 506 of the Indian Penal Code.

The prosecution case as per the complainant is that
the shop of the petitioner is situated adjacent to the house of the
complainant and hence, they got acquainted. Subsequently, the
petitioner assured the complainant to get him employment
abroad on payment of Rs.1,00,000/-. Thereafter, the
complainant, Niraj Manjhi and Amlesh Manjhi deposited



Rs.1,00,000/- each. Subsequently, visa was created and the complainant and other two persons went to UAE but there they came to know that they have only tourist visa and not work visa, as a result, the complainant and others returned to India.

It is submitted by learned counsel for the petitioner that there is no proof with regard to the payment made to the petitioner. The complainant got visa through agent namely Sarvesh and Arshad. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioner of taking Rs.3,00,000/- by three persons including the complainant for the purpose of getting their employment abroad.

Considering the fact that the complainant and the witnesses tried to get employment through illegal means and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, Ist Class,
Siwan in connection with Complaint Case No. 411 of 2018,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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