

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12845 of 2020**

Arising Out of PS. Case No.-223 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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RAJESH YADAV, Son of- Hari Lal Yadav Resident of Village - Jemhara, P.S.-
Basnahi, District - Saharsa.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Kirismen Devi Wife of - Brahmdeo Sada Resident of Village - Gamhariya
Ward No. 12, P.S.- Sour Bazar, Dist.- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-07-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Complaint Case no. 223 (C) of 2019, for the offence under
Section 323, 504 and 420 of the Indian Penal Code.

The accusation is that Fauji Kumar, aged about 13
Years and Batish Kumar, aged about 14 Years, children of the
complainant/informant Kirismen Devi, were accompanied
along with nine others minor children by the petitioner outside
for job. After some time, when the complainant/informant
made query to the petitioner about wages then he replied that
all the children will be given Rs.5000/- per month. In between
January, 2018 to October, 2018 all the children work at the
instruction of petitioner, but in the last month of October, 2018



some children returned in village saying that the wages will be paid in village. But, on making demand of wages, the petitioner started to abuse. Thereafter, on 29.01.2019 complainant sent notice for payment of wages of the children then petitioner, with intention to grab the wages, gave threatening.

Learned counsel for the petitioner submits that petitioner and complainant/informant are resident of same village and due to dirty village politics, the present complaint case has been lodged with ulterior motive. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Saharsa in connection with Complain Case No. 223 (C) of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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