

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 48474 of 2019

Arising Out of PS. Case No.-628 Year-2013 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

-
1. Yuvraj Singh aged about 44 years, Gender Male, Son of Sachidanand Singh
 2. Anoj Kumar Mandal @ Anuj Kumar Singh aged about 39 years, Gender Male, Son of Chhotelal Mandal
- Both are resident of Village - Maheshkhore, P.S.- Sanokhar, Distt - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar Tiwari, Proprietor M/s Aadi Shakti Enterprises, Son of Nawratan Tiwari, Resident of Babu Tola, Sati Ghat Road, Kahalgaon, P.S.- Kahalgaon, Distt - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad Mr. Tarun Prasad Mandal
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh,APP Mr. Pravin Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 25-02-2020 Heard learned counsel for the petitioners, learned A.P.P. as well as learned counsel for the complainant.

Both petitioners apprehend their arrest in Complaint Case No. 628 of 2013 registered for the offence under Sections 406/420/120B of the Indian Penal Code.

In the complaint petition, specific allegation has been made against proprietor M/s Narsimha Construction for not paying consideration amount to the complainant. It is further alleged that petitioners, who are supervisor of the proprietor, have threatened the complainant and took away Rs. 12,000/- (twelve thousand) from the complainant.



It is submitted on behalf of petitioners that petitioners are innocent and have committed no offence. Save and except the fact that petitioners are staff of proprietor, there is nothing against them and no offence under Sections 406, 420 of the Indian Penal Code is made out against them. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged 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 learned A.C.J.M. - IX, Bhagalpur in connection with Complaint Case No. 628 of 2013 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

