

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81247 of 2019

Arising Out of PS. Case No.-636 Year-2018 Thana- JAHANABAD District- Jehanabad

1. MOHAN CHOUDHARY @ SHIVJEE SAH Son of Jokhan Sah Resident of Village- Neriya, P.S.- Sonhan, District- Kaimur (Bhabhua).
2. Ritu Anand @ Tuntun Sah Son of Satya Narayan Pandit Resident of Village- Lakhanpur, P.S.- Raygarh, District- Dumka.
3. Manoj Kumar Singh @ Manoj Kumar @ Ramanuj Kumar Son of Yamuna Sah Resident of Village- Dihra, P.S.- Kundra, District- Kaimur (Bhabhua).
4. Pawan Kumar Singh @ Saraj Ansari @ Pavan Kumar Singh Son of Kutubuddin Resident of Village- Turi, P.S.- Bhaganpur, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jehanabad P.S. Case No. 636 of 2018 for the offence registered under Sections 406 and 420 of the Indian Penal Code.

The allegation is regarding the informant being working in a sewing centre run by *Jan Kalyan Siksha Sansthan, New Delhi*, of which the accused persons are said to be the office bearers and it is alleged that the informant along with others had given a sum of Rs. 7200/- in the hope and belief that



since several sewing centres are being opened by the petitioners, they would get due salary every month.

The learned counsel for the petitioners has submitted that there is no chit of paper on record of the case to show that any money was given by the informant to the petitioners and moreover the petitioners have been falsely implicated in the present case and are having clean antecedents except the petitioner no. 1 who is accused in one other case but he is on bail in the said case. It is further submitted that the petitioners are ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties coupled with the fact that there is no material on record to show that the informant has paid any money, I deem it fit and proper to grant anticipatory bail to the petitioners herein.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 636 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioners would cooperate in the on going investigation as also in the ensuing trial and in case of any non-cooperation on the part of the petitioners, the concerned police officials/ the prosecution would be free to approach this Court for cancellation of the bail of the petitioners herein.

(Mohit Kumar Shah, J)

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