

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61559 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- NTPC District- Patna

Subodh Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Abhishek, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with NTPS P.S. Case No. 131 of 2024 for the offence registered under sections 308(2), 308(5), 352, 351(2), 61(2), 3(5) of the BNS and 22/22A of the Minimum Wages Act.

3. As per the prosecution story, the informant alleged that he is working with the NTPC as a contractual electrician through RVK Construction and the certain employees of the said concern forcibly takes away their amount. Fed up with the said attitude, the FIR.

4. Learned counsel for the petitioner submits that actually, he had given loan of Rs. 1,00,000/- for the marriage of the informant's sister, certain payments were also made but later, the present case.



5. Learned APP, on the other hand, has taken this Court to the different paragraphs of the case diary which include paragraph 102, 104, 105 and 106 to show that not only the financial transaction have been recorded, certain employees have informed that out of Rs. 20,000/- which is being paid to them, the right hand of RVK Construction takes away Rs. 7,000/- every month and failure to pay, they are being removed from the work. This way, they are mentally and financially being tortured/exploited.

6. Learned counsel for the petitioner submits that in the said paragraphs, the name of the petitioner has not come, rather they have named Lallu Mukhiya, Ranvir to name the few.

7. Considering the submissions of the parties as also the fact that this petitioner has no criminal antecedent and alibi is there as Annexure 2 to show that a loan amount was given, the independent witnesses have named Lallu Mukhiya and Ravir, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

8. However, it is a serious matter in which if the allegation of the independent witnesses recorded in paragraph 104, 105 and 106 are taken into account, it shows that even in the minuscule salary/contractual salary which they are getting,



some of the persons of RVK Construction are exploiting them by taking away almost thirty three per cent of the said amount.

9. In that background, the Senior Superintendent of Police, Patna is directed to get the matter supervised through the Dy. S.P. in next eight weeks on the allegation that has come and a report be submitted before this Court on the next date.

10. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of ACJM-1, Barh, Patna in connection with NTPS P.S. Case No. 131 of 2024 subject to the following conditions:

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark



attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

11. Mr. Jitendra Kumar Singh, learned APP shall appear in the case and shall be submitting a report on behalf of the S.S.P., Patna.

12. Let a copy of the petition be handed over to Mr. Jitendra Kumar Singh, learned APP and his name appear in the cause list.

13. List this case on 11.02.2026 under the heading 'To Be Mentioned' for perusal of the report submitted by the S.S.P., Patna.

(Rajiv Roy, J)

Vijay Singh/-

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