

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44000 of 2015

Arising out of PS.Case No. -87 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

1. Durai Raj Murgan, S/o Duraj Raj R/o Kaunubai Kat, P.S. and District- Tenjaur, Tamil Nadu.
2. Murganandan @ T. Murganandan, S/o Late Bhas Raju, R/o 47, Manchik-Kandu, P.S.- Pattakodai, District- Tenjaur (Tamil Nadu).
3. Amala Das @ Amal Das, S/o Salva Raj R/o 952, Muran 3rd street Manambu Sahabri, P.S. and District- Tenjaur (Tamil Nadu).
4. R. Pandiyan, S/o Raman, R/o Rajajee Street, P.S.- Kirahmanglaman District- Puttukotai (Tamil Nadu).
5. Santhil Kumar @ Sendil Kumar, S/o Late Durai Raj, R/o Muscobi Street, P.S- Puttukotai, District- Tenjaur (Tamil Nadu).
6. Shahjahan, S/o Late Seikh Ismail, R/o 381, Rajendra Prasad Road Kirahnanglaman, P.S.- Kirahmangalam District- PuttuKotai (Tamil Nadu).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Uma Shankar Pd., Sr. Advocate.
For the Opposite Party : Mr. Ram Naresh Roy (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-12-2015 A supplementary affidavit has been filed on behalf of the petitioners, let it be kept on the record.

Heard learned senior counsel for the petitioners and learned counsel for the State

The petitioners are languishing in custody since 28.07.2015 in connection with Ahiyapur P.S. Case No. 87 of 2015 for the offences instituted under Sections 420, 467, 468, 471 and 120(B) of the IPC.



The prosecution story, in brief, is that Anil Kumar Gupta, Raja and Nageshwar Bhagat alleged to have committed an offence for which one Dinbandhu Singh filed a written application before Ahiyapur Police Station that one Mangalam House hold complex was started on 15.01.2015 by Anil Kumar and two others dealing with various household articles like, stainless steel and electronics articles and wooden furniture etc., at 50% concession rate. The crowd of customers was collected and the informant also booked orders to supply some articles to get the delivery to those they had been implicated in Phulwariya P.S. Case No. 71/2015.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioners. The petitioners have falsely been implicated in the present case due to mistake of fact. The petitioners are not named in the FIR. Their names have come in course of investigation. There is no direct or indirect evidence against the petitioners. Other co-accused have been granted anticipatory by this Court vide Cr. Misc. No. 25686/2015 and Cr. Misc. No. 24960/2015. In paragraph no. 2 of the supplementary affidavit filed on behalf of the petitioners, it has been stated that the petitioners are ready to deposit an amount of Rs. 1,00,000/-

jointly in the learned court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs. 1,00,000/- jointly in the learned court below which shall be subject to final disposal of the case and on doing the same, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 87/2015.

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(Sudhir Singh, J)