

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45427 of 2012

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1. Shashi Bhushan Mishra @ Kanhai Mishra, S/o Sri Pulindar Mishra, R/o Vill-Gangbara, P.S.-Runnisaidpur, Distt-Sitamarhi
 2. Raju Mishra, S/o Sri Pulindar Mishra, R/o Vill-Gangbara, P.S.-Runnisaidpur, Distt-Sitamarhi

.... Petitioners

Versus

1. The State Of Bihar
2. Pramod Kumar, S/o Rameshwar Singh, Resident of Village-Bachharpur, P.S.Dumara, Distt- Sitamarhi

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ranjeet Kumar Mishra, Adv.

For the Opposite Parties : A.P.P.

Mr. Yogendra Prasad

Mr. Rajendra Lal Das

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

8 10-03-2015 The petitioners figured as accused in Runnisaidpur P.S. Case No.386 of 2008 wherein offences referable under various Sections of I.P.C., including Sections-406, 409, 420 and 120B of I.P.C. were alleged. Apprehending their arrest, the petitioners filed A.B.P. No.281/10 in the court of Sessions Judge, Sitamarhi. It was dismissed through order dated 20.9.2012. Hence, this application for grant of anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

A perusal of the F.I.R. prima facie discloses

that the petitioners are in the habit of collecting photographs and money from gullible persons for opening fictitious accounts and withdrawing huge amounts. The truth or otherwise of the allegation against the petitioners needs to be examined in the trial. It is necessary for the police to examine the petitioners in the course of investigation. Therefore, in case the petitioners appear in the police station within two weeks from today, and furnish the necessary information in the course of investigation, on the same day they shall be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) each along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi/concerned court, in connection with Runnisaidpur P.S. Case No.386 of 2008, subject to the conditions laid down under Section-438(2) of Cr.P.C.

In default, the application shall stand dismissed.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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