

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46956 of 2015

Arising Out of PS.Case No. -151 Year- 2015 Thana -ATRI District- GAYA

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1. Ramesh Kumar @ Jagdamba Manjhi Son of Late Arjun Manjhi
2. Smt. Sushma Kumari Wife of Ramesh Kumar @ Jagdamba Manjhi Both
are resident of Village - Tetua Tarh, P.S. Atari, Dist.-Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-10-2015 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 409 and 420/34 of the Indian Penal Code
registered in connection with Atari P.S. Case No. 151 of 2015.

3. It is submitted that the petitioners have been falsely
implicated as evident from the written report that the alleged
occurrence related to the year 2010-11 whereas the FIR has been
instituted as late as in September, 2015 after inordinate delay. In any
event it is submitted that the entire amount of Rs. 48,500/- has been
deposited in the Nazarat by petitioner no. 1 as far back as on
15.11.2012 itself in response to a notice from the Block
Development Officer, Atari.

4. Having regard to the entirety of the facts and
circumstances of the case, in the event of the petitioners arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Gaya in connection with Atari P.S. Case No. 151 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (ii) The petitioners shall remain physically present as and when required during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Chandran

(Vikash Jain, J)

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