

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35882 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -MAIRWA District- SIWAN

1. Muslim Ansari, Son of Late Dil Mohammad,
2. Salim Ansari, Son of Late Dil Mohammad,
3. Lal Mohammad Son of Late Maharam Ansari,
All are resident of Village- English, P.S. Maira, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-09-2015

Heard learned counsels for the petitioners,

the State and the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

The prosecution case is that informant has given Rs.2,00,000/- to the petitioners for installation of mobile tower, but neither mobile tower has been installed nor the money has been returned.

It is submitted that the petitioners are agnate of the informant and Partition Suit No. 177 of 2014 is pending. A statement has been made in paragraph 3 of the

petition that the petitioners have no criminal antecedent.

Learned counsel for the informant submits that money was paid thereafter the acquisition of land was done but neither mobile tower has been installed nor money has been returned.

Considering the nature of accusation levelled in the background of pending partition suit, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 40 of 2015 (Complaint Case No. 2326 of 2014), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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