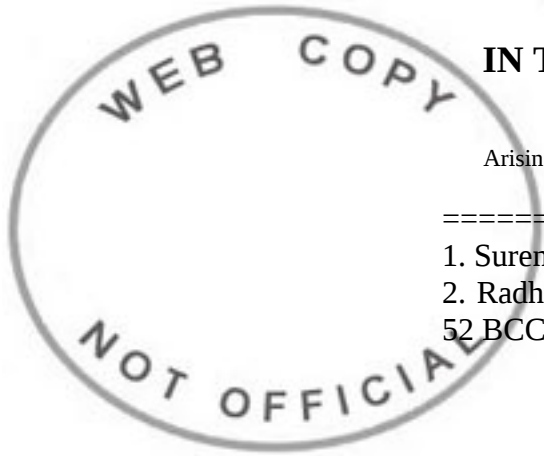




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43179 of 2015

Arising Out of PS.Case No. -91 Year- 2014 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Surendra Mandal, Son of Late Kamlehwar Mandal.
2. Radha Devi, Wife of Surendra Mandal. Both are resident of Quarter No
52 BCCL Block, P.S- Bhuli, District- Dhanbad (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asha Devi, Wife of Late Ram Chandra Mandal, Resident of Rampur
Colony, Jamalpur, Quarter No 299, A/B, P.S-Jamalpur, District- Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Nath Jha

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-12-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State assisted by the

learned counsel for the O.P.2

The petitioners are apprehending their arrest in
Complaint Case No.91C/2014 for the offences under Sections 406,
420, 467, 468, 471, 384, 386, 379, 307, 120(B) of the I.P.C. and
Section 27 of the Arms Act.

Learned counsel for the petitioners submits that
altogether a false allegation has been made against the petitioners
only because of the fact that the negotiation with regard to



marriage has failed. He further submits that no money transaction is involved at all rather only to take vengeance the present false case has been filed against the petitioners.

Considering the facts and circumstances of the case and the submission of O.P.No.2 who has got an application registered stating that a fraud had been persuaded against him as an amount to the tune of Rs.3.5/- lacs was taken by the petitioners but on account of greed he refused to marry with his daughter, as he received a higher amount. However, the cash in question delivered by the informant in presence of the others was not returned and, as such, the petitioner may not be extended any interim protection.

Be that as it may, this Court directs that the petitioners shall deposit the alleged amount in the court below which shall be result of the present case. In case the petitioners, abovenamed, deposit the said amount within a period of six weeks from today, let them in the event of their arrest or surrender before the court below within three weeks thereafter be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Munger,

in Complaint Case No.91C/2014 subject to the conditions as laid
down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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