

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47050 of 2015

Arising Out of PS.Case No. -548 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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1. Shakuntla Devi, W/o Nand Kishore Mahto @ Anand Kishore Mahto
2. Nand Kishore Mahto @ Anand Kishore Mahto @ Anand Kishore son of Bashudeo Mahto, both resident of village Tarsan, P.S. - Kudhani, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar son of Dhani Sah, resident of village- Tarsan, Kharona Dih, P.S.- Kudhani, District- Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tripurari Sharan, Adv.
For the Opposite Party/s : Mr. Yugal Kishore, Adv.
For the State : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-11-2015 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 420 of the Indian Penal Code and 138 N.I. Act registered in connection with Complaint Case No. 548 of 2013.

3. It is submitted that the petitioners have been falsely implicated as a blank cheque was given to the complainant towards L.I.C. premium for Policy No. 5355921953 but the same has been misused and a false case made out. There is not a chit of paper to support the claim of the complainant of having advanced Rs. 2,00,000/-

to the petitioner no. 1. The petitioners have also filed a Complaint Case No. 465 of 2013 before the Sub-Divisional Judicial Magistrate, West Muzaffarpur on 03.04.2013 which itself is prior to the present complaint.

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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Smt. Rashmi, learned Judicial Magistrate, Ist Class, Muzaffarpur, in connection with Complaint Case No. 548 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C. with additional condition that the petitioners shall remain physically present on each and every date 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.

(Vikash Jain, J)

Md. Ibrarul/-

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