

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54944 of 2015

Arising Out of PS.Case No. -315 Year- 2015 Thana -BUXAR District- BUXAR

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1. Ashok Kumar Rai son of Late Badri Narain Rai,
 2. Prem Narain Rai, son of Late Jagdish Rai
 3. Shailesh Rai @ Shailesh Kumar Rai son of Lallan Rai
 4. Kiran Sharma, wife of Sanjay Kumar Sharma

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Smt. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406/420/467/468/471/120B/304A/379 of the Indian Penal Code.

The prosecution case is that informant's two brothers namely, Vijay Kumar Sharma, Sanjay Kumar Sharma and sisters namely, Chintamani Devi, Sunita Devi had a joint account with the informant's father when a locker was also attached with the said account. It is alleged that after death of his father the accused persons misappropriated pass-book of joint account, Cheque book fixed deposit and personal diary. The accused persons concealed

the disease of the father of the informant, who was not properly treated, as a result he died.

It is submitted by learned counsel for the petitioners that for a civil nature of dispute with regard to purchase of a joint family property, the present case has been lodged as a pressure measure.

It is submitted by learned Sr. Counsel for the informant that joint family property particularly the huge amount in the bank has been misappropriated by the accused persons by forging signature of the father of the informant after his death.

Considering the nature of accusation and relationship between the petitioners and informant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Buxar (Town) P.S. Case No.315 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of the affidavit by the petitioners before the learned court below to the effect that they will regularly co-operate in the

investigation. Non-cooperation in the investigation by the petitioners will give liberty to the learned court below to cancel the bail bonds of the petitioners. The affidavits filed by the petitioners will be transmitted by the learned court below to the concerned I.Os.

(Dinesh Kumar Singh, J)

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