

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44185 of 2015

Arising Out of PS.Case No. -141 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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1. Najo Parween W/o Mahatab Alam
2. Yaquib Raja @ Aquib Raja S/o Mahatab Alam
Both are R/o Mohalla - Dahinyawa, P.S. Town, District - Chapra (Saran).
..... Petitioner/s

Versus

1. The State of Bihar.
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar
For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 16-10-2015 Heard the Counsel for the petitioners and the APP for the State.

Petitioners are mother and son and apprehend their arrest in connection with Town (Chapra) P.S. Case No. 141 of 2015 registered under Sections 467, 468, 420 and 34 of the Indian Penal Code.

In the joint name of the petitioners, loan was advanced by the Bank for purchase of vehicle. The allegation is that neither the R.C. Book and the insurance paper etc. of the vehicle was submitted by the petitioners nor the installments are paid.

Counsel for the petitioners has drawn attention of the Court to the averments made in paragraph 8 as also the impugned order wherefrom it appears that the informant in his subsequent statement has admitted payment of entire loan amount together

with interest and the balance in the said account is zero. In other words, there is no claim of the Bank.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in Town (Chapra) P.S. Case No. 141 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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