

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48715 of 2015

Arising Out of PS.Case No. -13 Year- 2013 Thana -BHORE District- GOPALGANJ

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1. Suman Tiwary, Wife of Shailendra Tiwary
2. Shailendra Tiwary, Son of Late Yadunandan Tiwary, Both resident of Village- Chhahi Ojh, P.S.- Gopalpur, District- Gopalganj, Presently Sonali Gas, Kataiya, P.S.- Kataiya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 18-05-2016 Heard learned counsel for the petitioners and the State.

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

Learned counsel for the petitioners submits that a complaint has been made against the petitioners that they have taken money to the tune of over Rs. 5 lacs. It is further alleged that on inducement of the petitioners, the informant had parted with the aforementioned amount with an assurance that they would be provided sub dealership of the company. It is further alleged that the petitioner has entered into an agreement/assurance letter and in token thereof the informant had parted with the

money.

Learned counsel for the petitioners further submits that whatever the nature of allegation, the petitioners are willing to deposit a sum of Rs. 5 lacs by means of chalan in the court below, subject to result of the compliant case. Learned counsel for the petitioners further undertakes that as and when required they shall make themselves available before the Investigating Agency and are also ready to give finger print for examination as has been directed earlier in the court below. It is further submitted by the learned counsel for the petitioners that at all material times either during the course of investigation or after submission of charge sheet , at the trial, the petitioner will be available before the court below to ensure that the progress of the case is not hindered in any manner.

Considering the aforesaid facts and assurance given by the petitioners, let the above named petitioners, in the event of their arrest/surrender in the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Mishra, learned Judicial Magistrate, 1st Class,Gopalganj in Bhorey P.S.Case No. 13 of 2013, subject to the conditions as laid down u/s 438(2)

Cr.P.C.

It is made clear that one of the bailors of the petitioners shall be the close relative, who shall inform about the movement of the petitioners. It is further directed that the petitioners shall appear before the court below on all dates and shall not absent themselves from the court on two consecutive dates without any reasonable cause. In case they fail to appear in the court below on two consecutive dates without any reasonable cause, it shall be open to the opposite parties to approach the court below to seek appropriate modification of order or for cancellation of bail bonds.

(Anjana Mishra, J)

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