

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32659 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -GORIAKOTHI District- SIWAN

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1. Raj Mangal Pandey

2. Jay Shankar Pandey

Both sons of Prabhunath Pandey, resident of Village- Teghara,
P.S.- Sarai (O.P.), District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Madan Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Goriakothi P.S. Case No.26 of 2016 for allegedly having committed the offences under Sections 406, 419, 420, 467, 468, 323, 504, 34 and 120B of the Indian Penal Code.

The allegation against the petitioners is that the informant gave money to the tune of Rs. Rs.68,500/- to the accused persons for construction of mobile and internet tower, but from the year 2009 till the date of lodging of the present F.I.R., neither the money was returned nor the tower was



constructed.

Learned counsel for the petitioners submits that the present F.I.R. has been lodged only to malign and humiliate the petitioners and there is considerable delay in filing the present F.I.R. It is further submitted that the informant does not have a single piece of document to support his case of having given Rs.68,500/- to the present petitioners.

Considering the nature of the allegations made and that the present F.I.R. has been lodged after much delay without there being any plausible explanation explaining the same, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of ₹10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Goriakothi P.S. Case No.26 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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