

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37091 of 2016**

Arising Out of PS.Case No. -473 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

- =====
1. Manoj Kumar
  2. Upendar Yadav Both Sons of Rajendar Prasad @ Rajendra Yadav resident of Village - Salempur Chamunda Devi Asthan, P.S. - Muffasil, District - Gaya.
  3. Sudarshan Kumar @ Sudarshan Yadav Son of Baldeo Yadav resident of Village - Dema Parmauni, P.S. - Mohanpur, District - Gaya, At present tenant at the house of Rajendar Yadav, Mohalla - Rajapur Bodh Gaya, P.S. - Bodh Gaya, District - Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha  
For the Opposite Party/s : Smt. Anusuiya Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**  
**ORAL ORDER**

2      19-09-2016      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Muffasil Police Station Case No. 473 of 2014, disclosing offence under Section 379 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners has submitted that on 04.03.2014, the petitioners had lodged an F.I.R., disclosing commission of offence under sections 420/406 of the Indian Penal Code and Section 138 of Negotiable Instrument Act, in which, the husband of the informant is an accused. It has been submitted that lodging of the F.I.R. with

allegation of committing theft of the vehicle is malicious.

Considering the facts and circumstances as well as submission so advanced, as noted above, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Mufassil Police Station Case No. 473 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Amit/-

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