

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14713 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Kusum Devi W/o Shyam Lal Agrawal
2. Amit Agrawal S/o Shyam Lal Agrawal
3. Mallika Agrawala @ Malika Agrawal @ Gudia W/o Arun Agrawal All
resident of Mohalla - Akharaghat, Road No. 4, P.S. Ahiyapur, District -
Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Shailendra Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out
of Town P.S. Case No. 47 of 2016, disclosing offences under
Sections 420 and 506 of the Indian Penal Code.

The allegation in the First Information Report is that
co-accused, Arun Kumar Agarwal, who projected himself to
be an influential person and induced the informant and others
to deliver money to him, in the name of assuring their job as
Programme Officer.

Learned counsel for the petitioners has submitted that
the petitioners have been implicated merely because they are
related to said Arun Kumar Agarwal. Petitioner No.3 is the

wife of Arun Kumar Agarwal, whereas, petitioner No. 1 is mother and petitioner No.2, brother of said Arun Kumar Agarwal. It is submitted that there is no specific allegation against them which can constitute of offence under the provisions of the Indian Penal Code as mentioned in the First Information Report nor a case of conspiracy is made out.

Learned counsel for the informant has opposed the prayer for anticipatory bail and has submitted that the petitioners had also participated in commission of the offence.

However, upon going through the First Information Report, I find substance in the submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioners above-named in the event of their arrest/surrender within four weeks from today in the court below, 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 the learned Chief Judicial Magistrate, Muzaffarpur in Town P.S. Case No. 47 of 2016, subject to the conditions as 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)

ArunKumar/-

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