

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45688 of 2015

Arising Out of PS.Case No. -195 Year- 2014 Thana -BIRaul District- DARBHANGA

- =====
1. Sharwan Yadav @ Shrawan Yadav Son of Musahru Yadav
 2. Musahru Yadav @ Musharu Yadav Son of Late Puran Yadav Both are resident of village - Nadai, Police Station - Jamalpur, District - Darbhanga

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Girish Chandra Jha

For the Opposite Party : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Biroul P.S. Case No. 195 of 2014 for the offences instituted under Sections 420, 406, 409, 467, 468, 120B, 323 and 504 of the Indian Penal Code.

As per the prosecution case that petitioner Shrawan Yadav told the informant that he will manage for KCC loan for him from SBI Hati Brach and also taken his LTI on some printed and blank papers and on the basis of which, he opened a loan account in SBI Hati Brach in the name of the informant and also withdrawn loan amount of Rs.50,000/- from the account of the



informant. The informant contacted petitioner Shrawan Yadav who acted that he has withdrawn the said amount and he also executed an agreement that he will deposit the amount with interest in the bank but he failed to do so. It is also alleged that the informant further contacted Sharwan Yadav but he refused to deposit any amount and both the petitioners assaulted the informant.

It has been submitted on behalf of the petitioners that the petitioners have been made accused due to mistake of fact. Petitioners have got no concern with the alleged withdrawal of the amount in question. It is further submitted that the petitioners are ready to deposit an amount of Rs.30,000/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs.30,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Biroul P.S. Case No. 195 of 2014 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 SDJM, Biroul at Benipur, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

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