

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49777 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -THAKURGANJ District- KISANGANJ

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1. Samir Pal @ Samir Paul @ Samir Poul, Son of Santosh Chandra Pal,
2. Biswajyoti Das Gupta, Son of Late Jyotisna Kumar Gupta.
Both are resident of Mohalla-Nital Basti, Ward No. 6, P.S.- Thakurganj,
District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-12-2016 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 Thakurganj P.S. Case No.90 of 2016 for allegedly having committed the offences under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that the allegation of defalcation of money with regard to the payment of municipal tax, alleged to have been defalcated by the present petitioners, is wholly incongruous and mischievous as the petitioners after collecting the money from the respective tax payers had deposited the same with the Tax Daroga, who has



since gone back and had denied having received the same. He, however, submits that the petitioners, subject to the result of the main case, are willing to deposit Rs.1,00,000/- (One lac) each, which may be refunded to them after conclusion of the trial.

In view of such *bona fide* offer made by the petitioners, let the petitioners deposit Rs.1,00,000/- (One lac) each in the court below within a period of three months from today. In the event of the petitioners' making so deposit, let 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 Sri Firoz Akram, learned Judicial Magistrate, 1st Class, Kishanganj, in connection with Thakurganj P.S. Case No.90 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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