

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4658 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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1. Indra Kumar Chaudhary, Son of Late Dhruv Narayan Chaudhary,
Resident of Village-Panchobh, P.S.-Bishanpur, District-Darbhangha.
2. Raghuveer Yadav, Son of Late Panchu Yadav, Resident of Village-
Mohammadpur (Udhopatti), P.S.-Bishanpur, District-darbhangha

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehends their arrest in connection with
Laheriasarai P.S. Case No. 265 of 2016 registered for the offences
punishable under Sections 406, 420, 467, 468, 471 of the Indian
Penal Code.

The petitioners are not named in the first information
report, specific allegation in the FIR is against Sudha Kumari @
Sudha Devi for giving forged cheque. During investigation it
transpires that through these petitioners transaction of
consideration money has been alleged to be completed and they
were the middlemen in sale and purchase of sale deed.

Submission is of false implication and that no offence



under Sections 420 and 406 IPC is made out against the petitioners, the petitioners are not named in the first information report rather their names have come during supervision, the petitioners are neither buyers nor sellers, they are not witness or identifier on the sale deed, they are not middle men who negotiated the sale and purchase of the sale deed, there is no allegation against the petitioners in the FIR and as such they deserve sympathetic consideration.

Learned APP fairly submits that the petitioners are not named in the first information report.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 265 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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