

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36707 of 2017

Arising Out of PS.Case No. -355 Year- 2017 Thana -BUXAR District- BUXAR

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1. Rama Shankar Prasad, Son of Late Dhruv Prasad,
2. Ajay Kumar Son of Rama Shankar Prasad,
3. Sanjay Kumar Son of Rama Shankar Prasad, All are R/o Village and
P.S.- Krishna Brahm, District- Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-08-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Buxar (T) P.S. Case No. 355 of 2017 registered for the offences punishable under Sections 406, 420, 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

Prosecution case is that there was an agreement between the parties and informant has paid Rs.7 lakhs and it has come in the FIR that Rs.3 lakhs has been returned by the petitioners but rest has not been paid to the informant.

It has been submitted on behalf of the petitioners that this is a false and concocted case and petitioners are ready to deposit 50% of the remaining amount, i.e., Rs.2 lakhs in the court



below.

Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for anticipatory bail stating that petitioners have criminal antecedents.

Having heard both sides and in the facts and circumstances, let the petitioners, named above, surrender in the court below within a period of six weeks from the date of receipt/production of a copy of this order and deposit a Bank Guarantee for Rs.2 lakhs in favour of informant and that will be subject to the result of the case and once the court satisfies with the same the court below will release them on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Buxar (T) P.S. Case No. 355 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that :-

- (i) One of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) Petitioners shall co-operate in the



investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds,

- (iii) Petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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