

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33690 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -TANDWA District- AURANGABAD

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1. Kundan Mishra, S/o Late Chandra Mishra, Resident of Village- Tendua,
P.S.- Tandwa, District- Aurangabad.
2. Umesh Singh, Son of Bikarma Singh, resident of Village- Manohari,
P.S.- Tandwa, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017

Heard the parties.

The petitioners are apprehending their arrest in connection with Tandwa P.S.Case No.51 of 2016 registered for offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

Allegation, as per F.I.R. against some other accused persons is that after withdrawal of Rs.70,000/- of the informant, they have taken Rs.35,000/- and so far allegation against the petitioners is concerned, the allegation is that he was also one of the conspirators.

Submission of the learned counsel for the petitioners is that nothing has been specifically attributed against this petitioners and Manoj Kumar Singh against him there is allegation



of taking away the money has already been granted anticipatory bail.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that nothing has been attributed against the petitioners, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad in connection with Tandwa P.S.Case No.51 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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