

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54420 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Urmila Devi @ Urmila Kumari, W/o Shyam Sundar Chaudhary,
2. Shyam Sundar Chaudhary, S/o Late Kamal Chaudhary,
Both R/o Village- Dhamauli Dih, P.S.- Rahul, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Rahui (Wena)**

P.S. Case No. 179 of 2016 instituted for the offence under Sections
406/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
offence is said to have taken place in the year 2009.

In the written report it is alleged that Rs.90,000/- was
given by the informant to the petitioners on 15.6.2009 for purchasing of
land on assurance to return the amount along with interest after six
months as mentioned in the written report. It is alleged that the
petitioner did not return the money of the informant.

The informant has not annexed any supporting documents
to show that any such agreement has been entered into between the



parties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Rahui (Wena) P.S. Case No. 179 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-II, Nalanda at Biharsharif**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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