

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17849 of 2017

Arising Out of PS.Case No. -62 Year- 2015 Thana -RAHIKA District- MADHUBANI

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1. Rajesh Kumar Yadav S/o Nandan Yadav
2. Nandan Yadav S/o - Khushilal Yadav, both are resident of Village-
Maholiya, P.S. Ladaniya, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Rahika P.S. Case No. 62 of 2015, registered under Sections
406, 420 and 506 of the Indian Penal Code.

The allegation of informant, Amit Kumar, is that he
deposited Rs.30,000/- and Rs.500/- in the account of the petitioner
no. 1 and thereafter he again deposited Rs. 1,20,000/- in favoaur of
petitioner no. 1 in lieu of providing the Bolero vehicle. When the
Bolero vehicle was not provided by the petitioners then he
contracted the petitioner no.1, on which, petitioner no. 1 assured to
provide the vehicle till, 14th September but till now neither the



vehicle was provided nor the money was refunded to the informant. Thereafter, informant sent the legal notice to the petitioners through Advocate.

Learned counsel for the petitioners submits that, in fact, complainant has taken Rs.1,50,000/- from petitioner no. 1 for personal use and after some time informant deposited Rs.1,30,000/- in the account of petitioner no. 1 as he used to reside at Delhi for his livelihood but due to ulterior motive the present case has been lodged with false allegation. Moreover, no specific overt act has been attributed against the petitioner no. 2.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate I, Madhubani, in connection with Rahika P.S. Case No. 62 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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