

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27873 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

- =====
1. Mamta Bharti, wife of Baidhnath Sah.
 2. Abishek Kumar Subham @ Shubham Kumar Sah, Son fo Baidhnath Sah
Both are resident of village – Govindpur Khajuri, P.S.-Kalyanpur,
District-Samatipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate.
For the State : Smt. Rita Verma, APP.
For Opposite party no.2 : Mr. Dilip Kumar Roy, Advocate.

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 21-06-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioners apprehend their arrest in Kalyanpur
P. S. Case No. 164 of 2016 registered for the offences under
Sections 406 and 420 of the Indian Penal Code.

As per the prosecution case, the petitioners along
with one Baidhnath Sah is said to have misappropriated Rs.
8,20,000/- deposited by different persons including the informant
in a non-banking co-operative bank run by them and when the
informant demanded his money after completion of maturity, the
petitioners refused to return his money.

It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and they have committed no offence. They have been falsely implicated in the case. They have no concern with the aforesaid bank. The petitioners have been implicated in this case as they happen to be wife and son of the said Baidhnath Sah. There is nothing on record indicating the involvement of the petitioners in the alleged offence.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P. S. Case No. 164 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

