

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57593 of 2017

Arising Out of PS. Case No.-46 Year-2016 Thana- MOTIPUR District- Muzaffarpur

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1. Ram Krishna Shahi, Son of Late Raghav Shahi.
 2. Nigam Shahi, Wife of Ram Krishna Shahi,
Both resident of village- Sadha Dumber, Police Station- Motipur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : SMT. PUSHPA SINHA

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-12-2017 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Motipur Police Station Case No. 46 of 2016, disclosing offences under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners submits that the petitioner no. 1 is the brother of the husband of the informant and petitioner no. 2 is wife of petitioner no. 1.

There is some dispute between the two brothers in respect of their respective shares and on the ground that in course of proceeding pending in the Court of Sub Divisional Officer



(West), Muzaffarpur, the petitioners produced a document containing signature of the husband of the informant, which, according to the informant, is forged, the First Information Report has been registered.

It has also been argued that Police, upon completion of investigation, have submitted the final report and these petitioners have not been sent up for trial. However, differing with the police report, learned Court below has taken cognizance and has issued summonses.

Considering the nature of dispute and accusation, this application is allowed.

Let the petitioners, namely, Ram Krishna Shahi and Nigam Shahi, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate (West), Muzaffarpur, in connection with Motipur Police Station Case No. 46 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be,



as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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