

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27699 of 2018

Arising Out of PS.Case No. -332 Year- 2017 Thana -KADAMKUAN District- PATNA

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1. Md. Nizam @ Md. Nizamuddin, S/o Late Mohammad Sultan, R/o Vill.-
Tarsan Kurhani, P.S.- Kurhani, District- Muzaffarpur.

2. Rashida Khatoon @ Ayesha Khatoon W/o Md. Nizam @ Md.
Nigamuddin, R/o Vill.- Tarsan Kurhani, P.S.- Kurhani, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 The petitioners are apprehending their arrest in connection with Kadamkuan P.S. Case No. 332 of 2017, registered for offences punishable under Sections 420/379 of the Indian Penal Code.

Allegation against the petitioners that they replaced the ATM of the informant by their ATM and withdrawn the money.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and in fact their ATM has also been lost, for which they had lodged *sanha* and further the F.I.R itself shows that it was two person aged about 25 to 30, who replaced the ATM of the informant, whereas, the petitioner no. 1 is aged about 65 years and petitioner no. 2 is his



wife aged about 60 years.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna, in connection with Kadamkuan P.S. Case No. 332 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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