

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62132 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -WEST CHAMPARAN COMPLAINT District-
WEST CHAMPARAN (BETTIAH)

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1. Arvind Sharma
2. Anil Sharma
Both sons of Subhash Sharma, resident of village - Senwariya, P.S. -
Sirisiya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Digambar Chauhan, son of Dhrup Chauhan, resident of Tamkuhwa, P.S.
- Dhanaha, Distt - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1, Advocate.

For the Opposite Party/s : Mr. Manish Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**
Case No. 37-C of 2017, Trial No. 1300 of 2017 instituted for the
offence under Sections 420, 467, 468 and 471 of the Indian Penal
Code.

It is alleged in the complaint petition that complainant
gave Rs.1,05,000/- to the accused persons as named in the
complaint petition for the purpose of Passport, visa and ticket. It is
further alleged that complainant deposited Rs.35,000/- in the
account of co-accused V.C. Sharma and rest amount was paid by
the complainant in cash to the petitioners.



Learned counsel for the petitioners has submitted that there is no supporting document of making payment of remaining amount to the petitioners. In the complaint petition it is specifically alleged that an amount of Rs.35,000/- was deposited in the account of B.C. Sharma who is not petitioner in this bail petition.

Learned counsel for the complainant has appeared and opposed the prayer for anticipatory bail to the petitioners.

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 **Complaint Case No. 37-C of 2017 (Trial No. 1300 of 2017)**, 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, Bagaha, West Champaran**, 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 their absence on two consecutive dates



without proper and reasonable reason will be liable to cancel their bail bond 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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