

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8148 of 2018

Arising Out of PS.Case No. -20 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

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1. Ram Shankar Jha, S/o Late Parshu Ram Jha,
2. Lal Babu Mahto S/o Mahendra Mahto, R/o Village- Madhu Tole,
3. Md. Noor Hasan @ Noor Hasan S/o Md. Islam, R/o Village-
Chakbakhar, All of P.S.- Khanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Khanpur P.S.Case no.20 of 2016 , registered for offences punishable under Sections 323, 341, 379, 384, 386, 387, 406, 408/34 of the Indian Penal Code.

Allegation against the petitioners is that he has forcibly executed a bond of Rs.5,70,000/- and now he is not returning the same.

Submission of the learned counsel for the petitioners is that the truck belongs to Rajeev Sinha and the informant has taken Rs.2 lac from the petitioner out of which he has paid Rs.1,50,000/- as such Rs.50,000/- is due but instead of that he has lodged the present case.

Heard learned A.P.P. also.



Having heard both sides and from perusal of the record, it appears that in this case earlier notice was issued to O.P.No.2 which has been received but nobody appears on behalf of O.P.No.2.

In the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Samastipur, in connection with Khanpur P.S.Case No.20 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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