

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54421 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Vijay Sah, son of Vishwanth Sah, R/o Village- Godiyapatti, P.S.- Bagaha-2, District- West Champaran.
 2. Prakash Kushwaha, S/o Raghunath Kushwaha,
 3. Ashok Soni @ Ashok Sah, son of Bishwanath Sah, both are R/o Agrawal Vatika, Police Station- Bagaha-2 District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-03-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Lauriya P.S.**

Case No.86 of 2017 instituted for the offence under Section(s)
341, 323, 406, 467, 468, 471, 506, 420/34 Indian Penal Code.

It is alleged in the Complaint Petition, which was sent to P.S. under Section 156(3) Cr. P.C. that these petitioners, who were proprietor of PMUMY (Pradhanmanti Mudra Yojna), opened office in the house of the Complainant and allured villagers to become beneficiary of this scheme. They realized money from the villagers in the name of forms and processing fee etc. for getting loan under the aforesaid Yojna. It is alleged that



all these petitioners under conspiracy cheated and collected Rs.3,77,000/- from the villagers.

Case diary has been received. Learned APP after looking into the case diary has submitted that statement of four witnesses have been recorded, who have been named as witnesses in the Complaint Petition, which was sent to P.S. under Section 156(3) Cr. P. C. Besides the statement of aforesaid witnesses, there is no other witness or villagers to support that these petitioners have taken amount by alluring or cheating them.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Lauriya P.S. Case No.86 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 the **Additional Chief Judicial Magistrate, 2nd, Bettiah, West Chamaparan**, 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 bonds 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.

JA/- **(Sanjay Priya, J)**

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