

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3753 of 2018

Arising Out of PS.Case No. -429 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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1. Ajay Kumar Rai, S/o Sitaram Ram, R/o Rajendra Nagar, Madhubani,
P.S.- K. Hat, District- Purnea.
2. Suman Kumar S/o Late Arjun Mandal, R/o Bhudhi -yagola, P.S.- Sarsi,
District- Purnea.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Ram Hriday Prasad

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 The petitioners are apprehending their arrest in connection with Khazanihat P.S. Case No. 429 of 2015, registered for offences punishable under Sections 406, 420 and 34 of the IPC.

Allegation against the petitioners is of defalcation of Rs. 11,50,000/- from the shop of informant and when the informant came to know about the said fact he gave one day time to them to deposit the same, however, they fled away with further amount of Rs. 90,000/-.

It has been submitted on behalf of the petitioners that out and out false and fabricated allegations have been made against the petitioners, which will appear from the fact that police after



investigation has not found the case true against the petitioner and submitted final form; however, differing with the opinion of police, magistrate has taken cognizance against the petitioners. Further petitioners have no criminal antecedents.

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 Rohit Kumar, Judicial Magistrate -1st Class, Purnea, in connection with Khazanihat P.S. Case No. 429 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Vinod Kumar Sinha, J)

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