

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10973 of 2018

Arising Out of PS.Case No. -221 Year- 2017 Thana -DIGHWARA District- SARAN

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1. Seema Devi @ Seema Kumari, wife of Jai Prakash Sah,
2. Madhu Gupta @ Madhu Sah @ Madhu Saw, wife of Sanjay Sah, both are Resident of Village- Sitalpur, P.S. Dighwara, District- Chapra at Saran.
3. Dipu Sah @ Dipu Kumar, son of Sakal Sah @ Ram Sakal Sah, Resident of Village- Mahamud Chwk, P.S.- Nayagawo, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Mr. Dr. Rabindra Kumar
For the Informant: : Mr. Mukesh Kr.Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Dighwara P.S. Case No.221 of 2017, G.R.No.8179 of 2017 arising out of Complaint Case No.2967 of 2017 for the offence under Sections 406, 420, 467, 468, 471, 504, 506/34 of the I.P.C.

It has been alleged in the written report that the money has been transferred in the A/c of co-accused Jai Prakash Sah @ J.P. and Sanjay on the pretext of giving employment in the Railways. It is alleged that the accused persons have cheated total Rs.49,00,000/- from different candidates in the name of giving employment in the Railways.



The counsel for the petitioners submits that petitioners no.1,2 and 3 had not received money which is revealed from the F.I.R. itself. Petitioner no.1 is wife of Jay Prakash Sah, petitioner no.2 is wife of Sanjay Kumar Sah and petitioner no.3 is brother-in-law of Jay Prakash Sah. The petitioners have been made accused merely on the ground that they are relatives of the co-accused, Jay Prakash Sah and Sanjay Kumar Sah.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Singh, Judicial Magistrate, Chapra, in Dighwara P.S. Case No.221 of 2017, G.R.No.8179 of 2017 arising out of Complaint Case No.2967 of 2017 subject to the conditions as laid down under Section 438(2) of 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 co-operate in the trial and shall be present on each and every date



fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner 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)

AnilKrSinha/-

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