

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38612 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -AURAI District- MUZAFFARPUR

- =====
1. Kumhariya Devi @ Kumhiya Devi, W/o Chandeshwar Mukhiya, R/o Village - Ghanshyampur, P.S.- Aurai, District- Muzaffarpur.
 2. Sunaina Devi, W/o Shree Amrit Singh, R/o Village - Ghaghari, P.S.- Aurai, District- Muzaffarpur.
 3. Dulari Devi, W/o Shree Nathuni Das, R/o Village - Veshi, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Aurai P.S. Case No. 17 of 2018** instituted for the offence under Sections 419 and 420/34 of the Indian Penal Code.

In the written report, it is alleged that the petitioners have received money of old age pension on the basis of giving wrong age under *Indira* Gandhi Rastriya Vridha Awastha Pension Scheme.

Learned counsel for the petitioners has submitted that money which has been received by these petitioners have already been deposited in *Nazarat* for which the concerned authority has granted the receipt which will be apparent from the letter of the Block Development Officer, Aurai, addressed to Officer-in-Charge, Aurai



Police Station, copy of which, has been enclosed as Annexure-2.

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 **Aurai P.S. Case No. 17 of 2018**, 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 **Sub Judge 14th Cum-Additional Chief Judicial Magistrate, Muzaffarpur**, 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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