

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12898 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -COMPLAINT CASE District- SUPAUL

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1. Hareram Yadav S/o-Late Uttim Lal Yadav,
2. Ruby Devi W/o-Hareram Yadav, Both are Resident of Village-Laxmipur,
Shayat, Ward No.1, P.S. Raghopur, District-Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Moli Devi W/o-Kailu Mukhiya, Resident of Village-Laxmipur, Shayat,
P.S. Raghopur, District-Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-07-2018 The petitioners are apprehending their arrest in connection with Complaint Case No. 97 of 2017, registered for offences punishable under Sections 420, 406 and 323/34 of the Indian Penal Code.

Petitioner happens to be the wife of a company, namely, Prayag and allegation against him that he convinced the complainant and her family members to deposit the amount in the said company, which will be doubled in the five years but the said company was closed and their money were not returned and petitioner no. 2 happens to be the wife of petitioner no. 1.

It has been submitted on behalf of the petitioners that petitioners have falsely been implicated in this case and petitioner



no. 2 has nothing to do with the allegation and has been made accused in this case only because she happens to be the wife of petitioner no. 1 and so far petitioner no. 1 is concerned, he was only the employee of the said company and it is not so that he got the money deposited in his bank account.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 2 is concerned, considering the facts and circumstances of the case and also the fact that she is lady , as such, let petitioner no. 2, in the event of her 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Biraul, Supaul, in connection with Complaint Case No. 97 f 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

So far petitioner no. 1, namely, Hareram Yadav, is



concerned, considering the facts and circumstances of the case and nature of accusation, I am not inclined to grant him the privilege of anticipatory bail rather he should surrender before the court below and pray for regular bail, which will be considered by the court below on the merit of the case.

(Vinod Kumar Sinha, J)

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