

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56560 of 2018

Arising Out of Complaint Case No.-71 Year-2016 District- Patna

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1. Dilip Kumar Sao,
 2. Raj Kumar Sao,
 3. Kishore Kumar Sao, All sons of Late Jagan Sao,
 4. Gulabo Devi, Wife of Late Jagan Sao, All resident of Village- Chhotki Dhamal, P.S.- Dhanarua, District- Patna. at present New Mohalla Gabra Par, P.O.+P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pradip Sao, Son of Late Bindweshwar Sao, Resident of Village- Chhotki Dhamal, P.O.- Nasratpur, P.S.- Dhanarua, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-12-2018 Heard the learned counsel for the petitioners, the informant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 71(C) of 2016 dated 02.03.2016 in which cognizance has been taken under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioners has given a declaration upfront that within six months, whatever money is due to the complainant / Opposite Party No. 2, shall be paid to him.



On this declaration / assurance, this Court would have readily been agreeable for grant of anticipatory bail, but for the fact that the petitioner has been declared an absconder because of his non-appearance before the Court proceedings. The aforesaid opinion of the Court is also based upon the fact that the petitioners and Opposite Party No. 2 are agnates.

Considering the aforesaid facts, this Court directs the petitioners to surrender before the court below with the undertaking that the entire money which is due to Opposite Party No. 2 shall be paid to him within a period of six months from the date of so surrendering. The court below, on such surrender, shall take into account that the complainant/Opposite Party No. 2, as has been stated by his advocate, will have no objection to the grant of bail if money is paid within that period and shall pass necessary orders in accordance with law.

With the aforesaid observation/direction, this petition stands disposed off.

Till such time, considering the old age and gender



of petitioner no. 4, no coercive steps shall be taken against
her.

(Ashutosh Kumar, J)

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