

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61973 of 2017

Arising Out of PS.Case No. -441 Year- 2017 Thana -SHASTRINAGAR District- PATNA

- =====
1. Manisha Sharma, wife of Sujit Kumar Singh,
 2. Sujit Kumar Singh, won of late Lakshmi Singh, both resident of Flat No.303, Third Floor Dasai Kunj Road No.6, East Patel Nagar, P.S.- Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Pd. Singh, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, APP

Mr. Manoj Kumar Singh, akdv,

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 22-02-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the informant.

Petitioners apprehend their arrest in **Shastri Nagar**

P.S. Case No.441 of 2017 instituted for the offence under
Section(s) 471, 467, 468, 420, 504, 506/34 Indian Penal Code.

Counsel for the petitioners and the informant are present. Counsel for the petitioners has submitted that he has handed over bearer cheque bearing no.12020385 dated 13.02.2018 for Rs.17,600/- to the counsel for the informant with regard to admitted dues of the rent from July, 2017 to February, 2018.

A Supplementary Affidavit has been filed on behalf of the petitioners, wherein, in para 3 it is mentioned that within a



maximum period of six month the petitioners will vacate the premises.

In such circumstances, this application is disposed off with direction to the petitioners to surrender in the Court below i.e. **Judicial Magistrate, 1st class, Patna**, in connection with **Shastri Nagar P.S. Case No.441 of 2017** within a period of four weeks from the date of receipt of the order along with Affidavit that they will vacate the premises of the informant within a maximum period of six months and in that event the Court below will release the petitioners on provisional anticipatory bail for a period of six months on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to its own satisfaction 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 bonds 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.

In the event, the petitioners submit before the Court below valid proof of vacating the premises duly supported by the informant, provisional bail of the petitioners will be confirmed.

It is expected that on vacating the premises by the petitioners, the informant will submit necessary report in the Court below that the petitioners have vacated the premises. The informant will also take steps to withdraw the case.

(Sanjay Priya, J)

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