

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50900 of 2018

Arising Out of PS. Case No.-142 Year-2016 Thana- BARGAINIA District- Sitamarhi

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1. Md. Mustakim @ Mohammad Mustaquim Ansari S/o- (Late) Nayeem Ansari
 2. Md. Afak Ahmad @ Afak Ahmad S/o- Md. Mustaakim @ Mohammad Mustaquim Asari. Both resident of Village- Chowki Hassan P.S. G.B. Nagar, Tarwara, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Rizwanul Haque S/o Md. Noorul Haque R/o- Pakdiya, P.O.- Jamua, P.S. Bairganja, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Fakhruddin Ali Ahmad
For the Opposite Party/s	:	Smt. Reena Sinha
For the Informant	:	Mr. Ram Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 311, 406, 420, 467, 468, 471 of the Indian Penal Code.

The petitioners admit that Rs.2,04,000/- (Rupees Two Lacs and Four Thousand) of the informant is still due with them and they are ready to pay the aforesaid amount within four months from today.

Learned counsel for the informant agrees that Rs.2,04,000/- (Rupees Two Lacs and Four Thousand) is still due with the petitioners. However, he is insisting for refund in two



installments.

Considering the nature of dispute and payment by the petitioners of major portion of the due amount to the informant, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bairgania Police Station Case No.142 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall refund the said amount to the informant through Bank Draft in installments within four months. The installment should be paid in every month, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners. After refund of the entire money, the informant would be obliged to get the matter disposed of within two weeks.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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