

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4469 of 2018

Arising Out of PS. Case No.-3780 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Chand Keshwar Ram @ Chandra Keshwar Ram, Son of Bihari Ram, null
 2. Bihari Ram, Son of Late Ramjas Ram,
 3. Nathuni Ram, Son of Late Ramjas Ram, All resident of Village- Bheriya, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Kishore Ram, Son of Deo Narayan Ram, Resident of Village- Imilia, PS- Bhore, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 3780 of 2016 (Trial No. 1075 of 2017), instituted for the offence under Sections 323,379,406 of the IPC.

It is alleged in the complaint petition that these petitioners bought furniture from the shop of complainant amounting to Rs. 87,000/- and got the same loaded on the vehicle but did not make payment of the amount even after demand made by the informant. Thereafter, when the informant went to make demand of the dues amount, these petitioners got infuriated and assaulted the informant.



Counsel for the petitioners has submitted that false case has been filed just to digest the amount given to the informant amounting to Rs. 1,50,000/- on the pretext of providing job in foreign country to petitioner no. 1, but the same could not be fulfilled. Thereafter, when demand was made to return the aforesaid amount paid by petitioner no. 1, the instant case has been lodged by the informant against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 3780 of 2016, (Trial No. 1075 of 2017), to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Gopalganj, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners



and (3) if the petitioners tampers 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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