

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31439 of 2017

Arising Out of PS.Case No. -130 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Malti Devi, W/o Daroga Mahto,
2. Prabhawati Devi, wife of Bigu Mahto
Both are Resident of Village- Jaukatiya, Police Station- Majhauria, District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Suganti Devi, wife of Ram Ekbal Mahato, village and post Jaukatiya,
Ward No. 10, P.S. Majhauria, Distt. West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.
Mr. Uday Pratap Singh, Advocate.
For the opposite party No. 2: Mr. Sanjeev Kumar, Advocate.
For the State : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-01-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Majhauria**
P.S. Case No. 130 of 2017 instituted for the offence under
Sections 420 and 379/34 of the Indian Penal Code.

It is alleged in the written report that an amount of
Rs.75,000/- and 65,000/- was taken by petitioner Nos. 1 and 2
respectively from minor daughter of the informant Asha Kumari.
The money has not been returned by these petitioners.

Learned counsel for the petitioners has submitted that



there is no mention of any date on which the aforesaid money was taken by the petitioner from the daughter of the informant. It further appears from the written report that merely vague and general allegation has been levelled that the amount has been taken by the petitioners from the daughter of the informant.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Majhulia P.S. Case No. 130 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Bettiah, Distt. West Champaran**, 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 bond 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.

(Sanjay Priya, J)

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