

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34354 of 2018**

Arising Out of PS.Case No. -465 Year- 2016 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

- =====
1. Ashok Yadav @ Ashok Kumar Ya @ Ashok Kumar Yadav, S/o Ramdev Yadav, R/v- Jankinagar Azad Chowk, P.S.- Jankinagar, Dist-Purnia.
  2. Bimlesh Yadav @ Bimlesh Kumar Yadav @ Vimlesh Kumar Yadav, S/o Raghu Nandan Yadav, R/v- Madhuban, P.S.- Jankinagar, Dist-Purnia.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Mallick, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      20-06-2018                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Complaint Case No. 465 of 2016** instituted for the offence under Sections 323, 341, 358, 384, 386, 392, 502, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that petitioners and the informant were running business of fertilizer and seeds. The said business was closed on 3.12.2014 and agreement was signed in presence of petitioner No. 1 and Rupesh Yadav. It has further been submitted that alleged occurrence is



said to have taken place on 28.01.2016 and complaint has been lodged after delay of two months i.e. on 4.3.2016.

The complainant alleged in the complaint petition that cheques have been taken away from the complainant on 28.01.2016. The complainant has not filed any case in respect of snatching of cheque nor informed the Bank about such incident. The informant has filed the instant case after delay of two months, only to save the skin from dishonour of cheques issued by the complainant in the name of petitioners which has been enclosed as Annexure-3.

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 **C.A. Case No. 465 of 2016**, 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, Purnia**, 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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