

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9767 of 2019

Arising Out of PS. Case No.-149 Year-2018 Thana- DARBHANGA District- Darbhanga

1. Shatrughan Mahto son of Late Ramchandra Mahto, Resident of Mohalla- Lal Pokhar Mufti, Mohalla, P.S.- Nagar, District- Darbhanga.
2. Ram Dulari Devi wife of Shatrughan Mahto, resident of Mohalla- Lal Pokhar Mufti Mohalla, P.S.- Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-05-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 420, 406, 504, 467, 468, 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons cheated the informant on the pretext of giving higher return on deposited amount in a chit fund company.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 1.11.2018 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been



submitted in the present case. No wrongful gain has been made on the part of the petitioners. The petitioners were simply an agent in the said finance company. It is further submitted that the petitioners are ready to deposit a sum of Rs. 50,000/- in the court below within five months in equal installments which will be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 10,000/- out of the total amount of Rs. 50,000/- in the Court below which will be subject to final disposal of the case**, it is directed that the petitioners, above named, be released on **provisional bail** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Town P.S. Case No. 149 of 2018. It is further directed that the petitioners will deposit the remaining Rs. 40,000/- in four equal installments within four months of their release from custody in the Court below. Once the petitioners deposit the entire Rs. 50,000/- within the stipulated time, the Court below shall confirm the provisional bail granted to the petitioners. If the petitioners fail



to deposit the said amount within the stipulated time, the Court below shall take necessary steps for cancellation of their respective bail bonds in accordance with law.

(Sudhir Singh, J)

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