

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25953 of 2019**

Arising Out of PS. Case No.-362 Year-2018 Thana- LAHERIYASARAI
District- Darbhanga

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1. SITA KUMARI, female, aged about 30 years, Wife of Jitendra Sada, Resident of Village- Pauni, Ward No.3, Rasiari, Police Station- Ghanshyampur, District- Darbhanga.
 2. Umesh Sada, male, aged about 50 years, Son of Nageshwar Sada, Resident of Village-Narkatia, Ward No.05, Police Station-Jamalpur, District-Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party: Mr. Anil Kumar Singh No. 1, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 409, 420, 467, 468, 471 and 34 of the Indian Penal Code registered in connection with Laheriasarai P.S. Case No. 362 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event it is apparent from the written report itself that the amount transferred into the respective bank accounts of the petitioners have since already been returned to the Bank. Moreover, it is evident from the statement of co-



accused Anand Kumar Sada before the District Welfare Office (page 191 of the brief) that it was he along with three other persons who were responsible for the occurrence and undertook to return the amounts in question. Similarly situated co-accused Babita and Manju Devi have been granted anticipatory bail by this Court in Cr. Misc. No. 78018 of 2018. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 362 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(iv) That the petitioner no. 1 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and petitioner no. 2 shall remain physically present in Court on each and every date, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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