

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24286 of 2019**

Arising Out of PS. Case No.-181 Year-2018 Thana- CHENARI District-
Rohtas

- =====
1. AJAY KUMAR SINGH, male, aged about 42 years, Son of late Ramadhar Singh Resident of Village - Tarahani, P.S.- Sonhan, Distt.- Kaimur at Bhabua.
 2. Nitu Devi, female, aged about 37 years, W/o Ajay Kumar singh Resident of Village - Tarahani, P.S.- Sonhan, Distt.- Kaimur at Bhabua.

... .. Petitioners

Versus

1. The State of Bihar
2. The Branch Manager, Punjab National Bank, Chenari Branch, District - Rohtas , Bihar

... .. Opposite Parties

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Appearance :

For the Petitioners	:	Mr. Buxi S.R.P. Sinha, Sr. Advocate. Mr. Randhir Kumar No.1, Advocate.
For the PNB	:	Mr. Kumar Priya Ranjan, Sc Mr. Niraj Kumar, Advocate.
For the State	:	Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 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, 120(B)/34 of the Indian Penal Code registered in connection with Chenari P.S. Case No. 181 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the entire dues of the Bank have since been cleared and no dues certificate dated 08.10.2018 has



been issued by the Bank. The partner of the petitioner no. 1 Sanjay Kumar Singh has already been granted anticipatory bail by this Court in Cr. Misc. No. 23056 of 2019. The petitioner no. 2 happens to be the guarantor of the cash credit loan. The petitioners claim clean antecedents.

4. Learned counsel for the Bank appears and does not dispute the stand of the petitioner.

5. 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 Additional Chief Judicial Magistrate-II, Rohtas at Sasaram in connection with Chenari P.S. Case No. 181 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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. 2 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. 1 shall remain physically present in Court 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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