

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38918 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- MUFFASIL District- West Champaran

1. BINOD TIWARI Son of Late Janakdeo Tiwari, Resident of Village- Khairatiya, Police Station- Bettiah Muffasil (Manuapool), District- West Champaran.
2. Dhananjay Tiwari @ Dhananjay Kumar Tiwari Son of Binod Tiwari Resident of Village- Khairatiya, Police Station- Bettiah Muffasil (Manuapool), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Bettiah Muffasil (Manuapool) P.S. Case
No. 64 of 2019 registered for offence punishable under sections
420, 406, 467, 468, 471, and 506 of the Indian Penal Code.

As per FIR, allegation has been made that the
informant has entered into an agreement for purchase of the
land, for that, Rs.70,000/- was paid as a consideration amount.
When the informant could know that the petitioners want to
trap him and play fraud, he resiled and asked the petitioners to
return the money, but they refused to return the same that led to



filing of the present case. Though the petitioners have criminal history, but they are agreed that they would return the money within four weeks.

In such view of the matter, the petitioners in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on **provisional bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapool) P.S. Case No. 64 of 2019, subject to the conditions as laid down under section 438 Cr.PC. Further condition is that one of the bailors of the petitioners shall be their close relative i.e. father/brother/mother/wife having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. The amount must be paid to the informant within four weeks from today. In failure to make payment within the stipulated period, the provisional bail granted to the petitioner will be treated to have been withdrawn and the police will have liberty to take action in accordance with law. The bail



of the petitioners will be confirmed only after payment of total
amount to the informant.

(Shivaji Pandey, J)

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