

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57579 of 2018

Arising Out of PS. Case No.-2697 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Kishundeo Prasad Sah @ Kishun Sah S/o Late Sanai Sah,
 2. Raju Kumar S/o Kishundeo Prasad Sah @ Kishun Sah,
- Both are R/o Vill.- Sarotar, P.O.- Sarotar, P.S.- Dumariya Ghat, District- East Champaran.

... .. Petitioners

Versus

1. The State Of Bihar
2. Bacchu Jha, S/o Late Bhagwat Jha, Resident of Village + Post Shyampur, P.S. Sangrampur, District East Champaran

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Dharmendra Kumar Singh, Advocate
For the State	:	APP
For Opposite Party No. 2:	:	Mr. Umesh Chandra Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 420 and 120(B) of the Indian Penal Code registered in connection with Complaint Case No. 2697 of 2015.

3. It is submitted that the petitioners have been falsely implicated and the amount of Rs. 1,54,500/- was advanced by the complainant against making of jewelries to the petitioners and the same has already been delivered to the complainant. In any event it is submitted that the dispute in question is purely of civil nature and there is no accusation whatsoever against petitioner no. 2 who happens to be son of petitioner no. 1. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 14th, East Champaran, Motihari in connection with Trial No. 1318 of 2018 arising out of Complaint Case No. 2697 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That the petitioners shall remain physically present in court on each and every date during trial 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.

BT/-

(Vikash Jain, J)

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