

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69324 of 2019

Arising Out of PS. Case No.-407 Year-2017 Thana- JOGAPATTI District- West Champaran

1. Maheshwar Chaubey S/o Late Bidyanand Chaubey R/o village- Chaubey Tola, P.S.- Yogapatti (Nawalpur), District- West Champaran
2. Chandrabhushan Chaubey S/o Maheshwar Chaubey R/o village- Chaubey Tola, P.S.- Yogapatti (Nawalpur), District- West Champaran
3. Madhusudan Chaubey S/o Maheshwar Chaubey R/o village- Chaubey Tola, P.S.- Yogapatti (Nawalpur), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2019 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Yogapatti (Nawalpur) P.S. Case No. 407 of 2017 for the offence punishable under Section 379 and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons having withdrawn a sum of Rs. 40,000/- from the account of the deceased, who happens to be the maternal grand father of the informant by using his ATM card.

The learned counsel for the petitioners submits that



the petitioner no.1 is an old person and Ex.- Sarpanch of the Panchayat and the present case has been lodged in a mala fide manner. It is further submitted that all the petitioners are having clean antecedent and they had performed Shradh ceremony of the deceased, wherein huge sums of rupees amounting to a sum of Rs. One lakh was spent. It is lastly submitted that the informant has instituted the present case in order to extort money from the petitioners after a lapse of one month of the alleged incident.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 407 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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