

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66655 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- BARIYARPUR District- Munger

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1. Chano Devi, Wife of Brahmdeo Mandal,
 2. Brahmdeo Mandal Son of Late Puran Mandal
 3. Ramanand Mandal, Son of Brahmdeo Mandal All Resident of Village-Diwani Tola, P.S.-Bariyarpur, Distt.-Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sudhir Mandal, son of Late Bhumi Mandal, r/o. Vill. Diwani Tola, P.S. Bariyarpur, Dist. Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jyoti Ranjan Jha
For the State	:	Mr.Uday Chand Prasad
For the OP No. 2	:	Mr. Barun Kr. Choudhary, Ms Kumari Khushboo, Advocates

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-02-2019 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, 427,504, 506/34 IPC registered in connection with Bariyarpur P.S. Case No. 109/2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the family members of co-accused Manoj Kumar who entered into an agreement with the informant. It is submitted that the amount of Rs. 19,58,700/- alleged to have been received by the said Manoj Kumar and the present petitioners have no concern with the transaction. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel appearing for the OP No. 2, oppose the anticipatory bail petition.

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 ACJM, Munger, in connection with Bariyarpur P.S. Case No. 109/2018, 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 co-operate 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. The petitioner no. 1 shall be well represented and petitioner nos. 2 and 3 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.

(Vikash Jain, J)

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