

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75518 of 2018

Arising Out of PS. Case No.-257 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Ashok Kumar Singh S/o Ash Narain Singh, SL 65.
 2. Jawahar Barisfore, S/o Late Thakur Bansfore SL 26.
 3. Ranjay Manjhi, S/o Shopujan Manjhi SL 36, All are residence of Village Karmaini Gaji P.S. Kuchai Kote Dist.- Gopalganj.
 4. Radhe Krishna Manjhi, S/o Ram Manjhi SL 48.
 5. Rina Devi, W/o Subash Singh SL 55,
 6. Pratima Devi, W/o Radhe Krishna Manjhi SL 75, All are resident of Village-Hirapakar P.S.- Jadopur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Shrivastwa
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 13-03-2019 Heard learned counsel for the petitioners,learned counsel for the State Bank of India and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406/420/467/468/471/120(B)/34 IPC registered in connection with Gopalganj P.S. Case No. 257 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation that they have obtained gold loan from the State Bank of India (SBI) against gold deposited by the petitioners after valuation by the Bank's valuer, but the gold was found to be of lower purity upon re-valuation. It is alleged that the petitioners had acted in connivance with the Bank's valuer for the higher valuation of the gold. In any event, learned counsel



for the petitioners submits that the petitioners express their willingness to repay the outstanding amounts of the bank against the loans taken by them.

4. Learned APP assisted by learned counsel for the SBI appear and have been heard. It is submitted on behalf of the bank that the outstanding loan against the petitioners are as follows --

Name of the petitioner	Loan Amount	Amount Due
Ashok Kumar Singh	Rs. 3,00,000/-	Rs. 2,83,700/-
Jawahar Barisfore	Rs. 3,80,000/-	Rs. 3,80,000/-
Ranjay Manjhi	Rs. 3,00,000/-	Rs. 3,02,276/-
Radhe Krishna Manjhi	Rs. 3,00,000/-	Rs. 3,01,062/-
Rina Devi	Rs. 3,00,000/-	Rs. 2,95,600/-
Pratima Devi	Rs. 3,00,000/-	Rs. 2,59,100/-

5. Be that it may, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned CJM, Gopalganj in connection with Gopalganj P.S. Case No. 257/2018 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 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.

6. The provisional bail shall be confirmed upon verification that the total amount outstanding against each of the petitioners up-to-date together with interest thereon is repaid by the petitioners, after granting credit for any amount if any, paid by any of them subsequently, in four equal monthly instalments, the first of which shall be paid by 31st of March, 2019 and the remaining instalments by the end of each succeeding month, and also subject to issuance of no dues certificates by the bank to the petitioners.

7. If any of the petitioners fails to pay two consecutive instalments as stipulated above, the provisional bail shall automatically stand cancelled as against the concerned petitioners.

(Vikash Jain, J)

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