

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13948 of 2020

Arising Out of PS. Case No.-168 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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1. SUBHASH TIWARI @ SUBHASH CHANDRA TIWARI S/o Late Bharat Tiwari Resident of Village- Sarotar, P.S.- Dumariaghat, Distt- East Champaran Motihari
 2. Kundan Tiwary @ Kundan Kumar S/o Subhash Tiwari Resident of Village- Sarotar, P.S.- Dumariaghat, Distt- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 406 & 420 of the Indian Penal Code.

Allegedly, on the assurance of receiving Rs. 78,500/- in a
year, the informant deposited Rs. 6,000/- per month for a year
but after completion of one year, the informant was not given
Rs. 78,500/- It came to notice that the petitioners on the basis of



forged bond and receipt, misappropriated money from several persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are alleged to be employees of the Non Banking Finance Company where the informant deposited his amount. From perusal of Annexure-2, it is evident that the informant deposited the amount through one agent namely Ramdeo Thakur. No wrongful gain or loss has been caused by the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 168 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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