

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 13832 of 2020**

Arising Out of PS. Case No.-772 Year-2018 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

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1. MONTI KUMAR GUPTA @ SUDHIR KUMAR Son of Surendra Prasad  
R/o Mohalla-Balughat Road no.3, P.S.-Town, District-Muzaffarpur.
  2. Ravi Kumar @ Ravi Kumar Gupta Son of Surendra Prasad R/o Mohalla-  
Balughat Road no.3, P.S.-Town, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Hans Lal Kumar  
For the Opposite Party/s : Mr.Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-06-2020      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 420, 409/34 of the Indian Penal Code.

Allegedly, one Santosh Kumar with one Manjit came a the  
jewellery shop of the informant and took 600 gms. Gold with  
assurance that on the same day, he will pay the price of the gold but  
he did not pay the price of the gold.

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 have been made accused in the present case due to mistake of fact. A petition has been filed on behalf of the informant in the court below wherein he retracted from his earlier statement made in the FIR. The said petition is Annexure-2 to the present application.

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 Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 772 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)**

A.K.V.//-

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