

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34979 of 2018

Arising Out of PS. Case No.-79 Year-2010 Thana- SITAMARHI District- Sitamarhi

1. Braj Kishore Son of Late Ram Dayal Ray, Resident of Village- Ukani, P.O.- Chamanpur, P.S.- Sheohar, Dist- Sheohar.
2. Ram Swarup Ray, Son of Nand Lal Ray, Resident of Village + Post- Diwari, P.S.- Sursand, Dist- Sitamarhi.
3. Deo Kumar Roy, Son of Shri Laxman Roy, Resident of Village- Dharampur, P.S.- Aurai, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-02-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Sitamarhi
P.S. Case No. 79 of 2010 registered for the offence under
Sections 420, 465, 474, 120(B) of the Indian Penal Code.

As per F.I.R., it is alleged that petitioners were
pressurizing the college authority for their joining on the basis
of forged documents

It is submitted on behalf of petitioners that
petitioners have falsely been implicated in this case and they
have committed no offence. It is further submitted that no
offence under Section 420 of the IPC is made out against
petitioners. Moreover, after investigation police submitted final



form and differing with the same, learned Chief Judicial Magistrate has taken cognizance under Sections 420, 465 & 120(B) of the Indian Penal Code. There is also delay of about eight months in lodging the F.I.R.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 79 of 2010 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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