

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40223 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- MANIHARI District- Katihar

1. SANJEET KUMAR PANDEY Son of Kamlesh Pandey Resident of Village and P.O.- Kantakosh, P.S.- Manihari, District - Katihar
2. Kamlesh Pandey Son of Late Jagdish Pandey Resident of Village and P.O.- Kantakosh, P.S.- Manihari, District - Katihar

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Pandey
For the Informant	:	Mr. Sanjeev Kumar Singh
For the State	:	Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420, 341, 323 & 504/34 of the Indian Penal Code.

4. Petitioners are said to have taken Rs.1,50,000/- on loan from the informant with a promise to refund the same



within one year but now they are not ready to refund the said amount.

5. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to civil dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent.

6. After some arguments, learned counsel for the petitioners submits that the petitioners are ready to refund the amount in equal installments.

7. In view of the aforesaid submission, petitioners are directed to refund Rs.50,000/- (Rupees Fifty Thousand) through a bank draft to the informant at the time of furnishing their bail bonds and rest amount of Rs.1,00,000/- (Rupees One Lakh) shall be paid by them to the informant in four equal installments within one year thereafter.

8. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Manihari P.S. Case No.329 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. It is made clear that if the petitioners fail to comply with their undertakings, as mentioned in paragraph-7 of this order, the learned Court below would be at liberty to cancel their bail bonds.

(Anjani Kumar Sharan, J)

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