

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47249 of 2021

Arising Out of PS. Case No.-34 Year-2015 Thana- KHAJAULI District- Madhubani

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1. MOTI DEVI W/o BHARAT MANDAL R/o VILLAGE-KANHAULI, MALLIK TOL, P.S-KHAJAULI, DISTRICT-MADHUBANI.
 2. BHARAT MANDAL S/o RAM PRASAD MANDAL R/o VILLAGE-KANHAULI, MALLIK TOL, P.S-KHAJAULI, DISTRICT-MADHUBANI.

... .. Petitioners.

Versus

1. THE STATE OF BIHAR
2. ANITA DEVI W/o BHARAT MANDAL R/o-HARISHBADA, P.S-KHAJAULI, DISTRICT-MADHUBANI.

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh
For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

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.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 120B, 420, 467, 406, 409, 467 & 468/34 of the Indian Penal Code.

The allegation against the petitioners is that they in



association of other co-accused are said to have taken the benefit of Indira Awas Yojana which was due to be given to the informant.

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 dirty village politics. There is no specific allegation against the petitioners that they have played any role in the alleged forgery rather the allegation levelled against the petitioners are general and omnibus in nature. It is further submitted that both the petitioners are aged, illiterate, rustic and poor BPL person and were not aware of the case instituted against them. Similarly situated co-accused, namely, Chandra Shekhar Singh @ Chandra Shekhar @ Mohan and Nilam Devi @ Kumari Nilam have been granted anticipatory bail by a co-ordinate bench of this court vide order dated 22.06.2018 passed in Cr. Misc. No. 24999 of 2018. Petitioners have no criminal antecedent.

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 Khajauli P.S. Case No. 34 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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