

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48820 of 2021**

Arising Out of PS. Case No.-143 Year-2021 Thana- MANSI District- Khagaria

1. Om Prakash Kumar S/o Bindeshwari Prasad Yadav R/o Village-Ward No. 07, Thatha, P.S.-Mansi, District- Khagaria.
2. Ravish Kumar @ Jyotish Kumar S/o Malik Singh R/o Village-Chaidha, P.S.-Mansi, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 26-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in Mansi P.S.
Case No.143 of 2021, registered for the offences punishable
under Sections 420/34 of the Indian Penal Code.

The petitioners are said to have taken illegal money
from the customers in lieu of setting up of electric meter.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. It is further submitted that there is no eye witness
in the present case and only on suspicion, the petitioners have
been made accused in the case. It is submitted that in the case



diary, there is statement of witnesses and witnesses have not stated about demand of illegal money. It is also submitted that petitioner no.1 has got no criminal antecedent whereas petitioner no.2 has got one criminal antecedent as stated in paragraph 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No.143 of 2021, subject to the following conditions:

(1) Laid down under Section 438(2) of the Code of Criminal Procedure.

(2) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.



(3) That the petitioners will be well represented on each and every date fixed in the case and if they fail to do so on two consecutive dates, their bail bonds shall be liable to be cancelled.

(4) That the petitioners will mark their attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bonds.

(5) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J.)

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