

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49196 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- HUSSAINGANJ District- Siwan

1. Suganti Devi Wife of Devlal Yadav Resident of village - Hathoura, Chhotka Telpa, P.S.- Hussainganj, District - Siwan.
2. Devlal Yadav Son of Chandeshwar Yadav Resident of village - Hathoura, Chhotka Telpa, P.S.- Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

According to the prosecution case, the petitioners have fraudulently registered their age more than 60 years to get the benefit of old age pension which shows that they have misused the government money.



Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation alleged in the F.I.R. is that by making forgery for getting the benefit of old age pension scheme. He further submits that pursuant to the Annexure 2 and 2/1 of this petition, the petitioner No. 1 has deposited Rs. 21,800/- and petitioner No. 2 has deposited Rs. 19,600/- in the Government treasury.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner and fairly submits that pursuant to Annexure 2 and 2/1, the petitioners have deposited the amount in question.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hussainganj P.S. Case No. 100 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



1. Petitioners shall co-operate 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 bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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