

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19181 of 2023

Arising Out of PS. Case No.-113 Year-2022 Thana- VIDYAPATINAGAR District-
Samastipur

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1. RAJESH RAM Son of Late Ram Sakal Ram Resident of Village - Sherpur, P.S.- Vidyapati Nagar, District - Samastipur, Pin - 848503.
 2. Vibha Devi @ Bibha Devi Wife of Rajesh Ram Resident of Village - Sherpur, P.S.- Vidyapati Nagar, District - Samastipur, Pin - 848503.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 342, 504, 406, 420, 465 of the Indian Penal Code.

Learned counsel for the petitioners submits that one case was instituted against the petitioner by the side of the informant in which they were acquitted. It is next submitted that petitioners are husband and wife and petitioner No. 1 is own nephew of the informant, it is further submitted that allegation is of withdrawal of Rs. 15,17,546/- from the bank account of the informant. It is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that the informant does not disclose the date



on which the amount was withdrawn, it is next submitted that it is not possible to withdraw any amount by using ATM of the informant without pin. It is next submitted that since there is a property dispute between the petitioner No. 1 and the informant, as such, the present false case came to be instituted which is lacking in material detail. It is next submitted that petitioners will not abscond, rather, will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Vidyapatnagar P.S. Case No. 113 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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