

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31327 of 2023

Arising Out of PS. Case No.-296 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Rama Shankar Paswan Son Of Ram Swarth Paswan Resident Of Village - Mukhiyapatti, P.S. - Saharghat, Distt. - Madhubani
 2. Ruby Devi Wife Of Rama Shankar Paswan Resident Of Village - Mukhiyapatti, P.S. - Saharghat, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumant Kumar Son of Hemant Kumar Choudhary Resident of village - Chanpura, P.S. - Benipatti, Distt. - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420, 504, 506 and 34 of the Indian Penal Code and Section 138 of the N.I. Act.

3. As per the prosecution case, the petitioners have purchased bricks, sand cement from opposite party no. 2 and made promise to pay the amount but the petitioners have never paid the said amount. It is further alleged that the petitioners gave him a cheque, which was bounced.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in



this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Learned counsel for the petitioners submits that the petitioners are ready to pay Rs. 1 lakh to the complainant and rest amount shall be paid subject to final outcome of this case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 296 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the bail bond of the petitioners shall be accepted by the learned Court Below after verifying the fact that the petitioners have paid Rs. 1 lakh to the complainant, if the petitioners have not paid Rs. 1 lakh to the complainant then the bail bond of the petitioners shall not be accepted by the learned



Court below.

8. The rest amount i.e. Rs. 1 lakh 72 thousand, shall
be paid subject to final outcome of this case.

(Anjani Kumar Sharan, J)

anand/-

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