

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38639 of 2023

Arising Out of PS. Case No.-350 Year-2022 Thana- RUPAULI District- Purnia

1. OM PRAKASH MANDAL Son of Kanti Mandal Resident of Ojha Kapa, P.S. - Rupauli, Distt. - Purnia
2. Hira Lal @ Hira Lal Paswan Son of Late Janardan Paswan Resident of Ojha Kapa, P.S. - Rupauli, Distt. - Purnia
3. Binod Dilwar Son of Sita Ram Paswan Resident of Ojha Kapa, P.S. - Rupauli, Distt. - Purnia

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 420 and 120(B) of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioners along with other co-accused persons have hatched a conspiracy by committing breach of trust and cheated with the wife of the informant.

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



case. He further submits that for the same cause of action two cases has been lodged against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that petitioners are only conspirators. He further submits that petitioners have got one criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Rupauli P.S. Case No.350/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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